ANNUAL REPORT

of the

OFFICE OF ADMINISTRATIVE PROCEDURE

1958

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A Unit
of the
OFFICE OF LEGAL COUNSEL
DEPARTMENT OF JUSTICE

Washington, D. C.

FOREWORD

This Second Annual Report of the Office of Administrative Procedure covers the year ending December 31, 1958.

Part I contains a summary of the major activities of the Office during the year. In this area the most significant development has been the growing frequency of requests for informal advice and opinions in the course of agency revision or promulgation of rules and regulations, and in the preparation of legislative proposals having a bearing on administrative procedures.

Part II is the statistical section of the report. The tables set forth certain fundamental information on backlog, volume, and time with respect to proceedings pending before 21 Federal departments and agencies during fiscal year 1958.

The statistics in Tables 7 through 12, relating to the hearing examiner function, are similar to those compiled in the 1957 Annual Report and have been set forth in a manner permitting comparison. In addition, the scope of the study was enlarged to include certain basic statistics relating to the period prior to the assignment of proceedings to hearing examiners and to their processing by the agencies after disposition by hearing examiners (Tables 1 through 6).

In speaking of judicial statistics, Chief Justice Stone said: "The statistical method of dealing with social problems often cannot be relied upon as a mathematical demonstration leading to spoken conclusions, but it may be used to indicate tendencies, to mark out the boundaries of a problem, and to point out the directions to be given to a particular investigation of a non-statistical character." It is in this context and with this purpose in mind that these tables have been compiled.

In carrying out its responsibilities and in the preparation of this report, the Office acknowledges the helpful assistance provided by the Bureau of the Budget and expresses its appreciation to the departments and agencies for their continuing support and cooperation.

STAFF OF THE
OFFICE OF ADMINISTRATIVE PROCEDURE

Professional Staff	Secretarial Staff
John F. Cushman, Director	Angela Ann Beck
Webster P. Maxson	Margaret W. Fisher
Henry N. Williams	

DEPARTMENT AND AGENCY LIAISON OFFICERS

Agriculture, Department of	- Charles W. Bucy
Air Force, Department of	- John J. McLaughlin
Army, Department of the	- Frank G. Millard
Atomic Energy Commission	- Loren K. Olson
Civil Aeronautics Board	- Franklin M. Stone
Civil Service Commission	- Lawrence V. Meloy
Commerce, Department of	- F. Bourne Upham III
Defense, Department of	- Harry R. Van Cleve
Export-Import Bank of Washington	- Wilson L. Townsend
Farm Credit Administration	- John C. Bagwell
Federal Coal Mine Safety Board of Review	- Robert J. Freehling
Federal Communications Commission	- John L. Fitzgerald
Federal Deposit Insurance Corporation	- William M. Moroney
Federal Home Loan Bank Board	- Thomas H. Creighton, Jr.
Federal Housing Administration	- A. M. Prothro
Federal Mediation and Conciliation Service	- George E. Strong
Federal National Mortgage Association	- Benjamin L. Wesson
Federal Power Commission	- Willard W. Gatchell
Federal Reserve System, Board of Governors of the	- Frederic Solomon
Federal Trade Commission	- Earl W. Kintner
Foreign Claims Settlement Commission of the United States	- Andrew T. McGuire
General Accounting Office	- Robert F. Keller
General Services Administration	- J. H. Macomber, Jr.
Government Patents Board	- Robb S. McLaughlin
Health, Education and Welfare, Department of	- M. J. McQueen
Housing & Home Finance Agency	- Lyman Brownfield
Interior, Department of the	- A. Bruce Wright
International Cooperation Administration	- Leslie A. Grant
Interstate Commerce Commission	- Robert W. Ginnane
Labor, Department of	- John J. Babé
National Labor Relations Board	- James V. Constantine
National Mediation Board	- Thomas A. Tracy
Navy, Department of the	
Office of the Navy Judge Advocate General	- Captain R. F. Schlegel
Office of the General Counsel	- George M. Coburn
Office of Civil and Defense Mobilization	- M. M. Merker

Panama Canal Company	- Merrill Whitman
Post Office Department	- Herbert B. Warburton
Public Housing Administration	- Joseph Burstein
Railroad Retirement Board	- Myles F. Gibbons
Renegotiation Board, The	- Howard W. Fensterstock
Securities and Exchange Commission	- Thomas G. Meeker
Selective Service System	- Colonel Daniel O. Omer
Small Business Administration	- Philip McCallum
State, Department of	- James A. Dibrell
Subversive Activities Control Board	- George R. Gallagher
Tennessee Valley Authority	- Charles J. McCarthy
Treasury, Department of the	- George L. Ware
United States Tariff Commission	- Paul Kaplowitz
Veterans' Administration	- Myer S. Lipps

OFFICE OF THE ATTORNEY GENERAL

[Order 142-57]

Establishment of Office of Administrative Procedure

Establishment of Office of Administrative Procedure. 1. There is hereby established in the Department of Justice an Office of Administrative Procedure which shall be a component of and under the administrative supervision of the Office of Legal Counsel.

Director. 2. The Office shall be headed by a Director who will act in an advisory capacity in carrying out the purposes of the Office.

Purposes of the Office. 3. With a view to achieving improvements in administrative procedures within the Executive departments and agencies of the Federal Government, the Office shall:

(a) Carry on continuous studies of the adequacy of the procedures by which Federal departments and agencies determine the rights, duties, and privileges of persons;

(b) Initiate cooperative effort among the departments and agencies and their respective bars to develop and adopt so far as practicable uniform rules of practice and procedure;

(c) Collect and publish facts and statistics concerning the procedures of the departments and agencies;

(d) Assist departments and agencies in the formulation and improvement of their administrative procedures.

Cooperation by Departments and Agencies, the Bar, and other interested persons. 4. The Director, in consultation with the Attorney General, is authorized to make appropriate arrangements for securing the cooperation and advice of representatives of the departments and agencies, the bar, and other interested persons in connection with the performance of his duties.

Reports. 5. The Director shall render an annual report for circulation to the departments and agencies, and such other reports as the Attorney General may from time to time request.

Dated: February 6, 1957.

Herbert Brownell, Jr.,
Attorney General

[22 F.R. 998]

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PART I

ORGANIZATION AND STATISTICAL SUMMARY

The Office of Administrative Procedure, headed by a Director, is a component of the Office of Legal Counsel in the Department of Justice. Through continuing studies, the collection and dissemination of facts and statistics, and advisory services it is the purpose of the Office to seek improvement in the administrative procedures whereby the Executive departments and agencies determine, either by rulemaking or adjudication, the rights, privileges and duties of members of the public.

To assist in carrying out these responsibilities, each of 48 departments and agencies has cooperated with the Office by designating a responsible staff officer to maintain official liaison. This arrangement not only serves as a point of contact with the agencies, but provides the Office with current information relating to the major activities of the respective agencies in the field of administrative procedure. The Office is also in frequent contact with bar associations, specialized agency bar groups, and other organizations and individuals interested in administrative practice and procedures.

During 1958, 117 assignments were processed by the Office, falling into the following general categories: 43 reviews of legislative proposals, 23 special assignments, 21 interagency studies and advisory opinions, 14 rulemaking proceedings, and 16 interagency conferences. In addition, a number of requests for advice and assistance were handled on a day-to-day informal basis. The range of these assignments extends from study and advice with respect to possible change in one rule to the revision or preparation of

rules for the conduct of agency hearings. They include assistance in the drafting of legislation and the providing of views on the form and legality of such proposals.

RECOGNITION AND DISCIPLINE OF ATTORNEYS

One of the early recommendations of the Office was a proposal that all agencies dispense with formal admission procedures for attorneys and adopt in lieu thereof a proposed uniform rule which would make eligible to practice any person who is a member in good standing of the bar of the Supreme Court of the United States or of the highest court of a state, territory, insular possession, or District of Columbia and is not under a court order suspending, enjoining, restraining, disbarring, or otherwise restricting him in practicing law. At the time the recommendation was made 10 agencies had rules for formal admission of attorneys. During 1958, the Board of Immigration Appeals and the Immigration and Naturalization Service eliminated their formal procedures for the admission of attorneys to practice before them. (See 8 C.F.R. Pt. 292, 23 Fed. Reg. 2670.) This means that with the exception of the Interstate Commerce Commission, the Patent Office (patent cases), the Treasury Department and the Veterans Administration, an attorney in good standing may represent others before administrative agencies without further qualification.

However, while attorneys should not be subject to further qualification requirements, it by no means follows that they should be free from regulation by the agencies. Provisions should be made for simple, adequate, and uniform agency rules for discipline of attorneys who are guilty of contemptuous conduct or who fail to live up to the ethical standards of the legal profession.

A suggested uniform rule on discipline of attorneys, which includes both substantive and procedural provisions, is included in the Appendix of this report. Also printed is a chart setting forth the provisions of present agency rules on disbarment of attorneys.

UNIFORM RULE STUDIES

Printed in the Appendix are the texts of the illustrative uniform rules recommended in the Report of the President's Conference on Administrative Procedure on computation of time and appeals from intermediate decisions, together with an analysis of existing agency rules on each subject. This brings to six the number of recommendations of the President's Conference on uniform illustrative rules which have been analyzed to determine the extent of their adoption by the agencies. The President's Conference also suggested uniform rules on presumptions, stipulations and admissions of record in proceedings involving numerous parties, and form and content of decisions. The text of these rules are also set forth.

PART II--STATISTICS ON ADMINISTRATIVE PROCEEDINGS BEFORE DEPARTMENTS AND AGENCIES OF THE FEDERAL GOVERNMENT

Upon recommendation of the President's Conference on Administrative Procedure, the Attorney General has directed, as one of the functions of this Office, the collection and publication of facts and statistics concerning administrative procedures of the departments and agencies of the Federal government. Initial compliance with this directive last year resulted in the publication as a part of our 1957 Annual Report of nine tables which provided fundamental information relative to formal proceedings before hearing examiners appointed pursuant to Section 11 of the Administrative Procedure Act in the 21 departments and agencies which regularly employ such examiners.

In further performance of this function and for use in connection with continuing studies of the adequacy and efficiency of administrative procedures, there are presented in the twelve tables which follow additional and somewhat more comprehensive data relative to the same kinds of formal proceedings before the same 21 departments and agencies covered in the 1957 report.

This report, like the 1957 report, is limited to administrative proceedings in which:

(1) opportunity is afforded for hearing before an APA Sec. 11 examiner, and

(2) such examiner, in normal course, prepares a decision or initial or recommended decision.

Thus proceedings wherein hearings are conducted by the agency itself, or by members of its staff other than APA examiners, are not included. Also, these tables (with the exception of Table 12) do not include proceedings in which, in ordinary course, the examiner merely conducts the hearing and certifies the record to the agency for action, without the examiner's having to prepare an initial or recommended decision.

The tables in last year's report were limited further as to the stages of proceedings for which data were reported. The 1957 tables encompassed only so much of the above-described proceedings as was in the hands of hearing examiners, thereby excluding whatever stages preceded assignment of a case to an examiner as well as agency consideration of the matter following the examiner's decision.

Only the second part of the tables presented herewith (Part B, Tables 7-11) are subject to this limitation. Tables 7-11 represent a continuation of last year's report relative to process before hearing examiners. Part A of these statistics for fiscal 1958 (Tables 1-6) enlarge upon the information furnished last year by including all stages of proceedings described in (1) and (2) above, from commencement to final agency disposition. More specifically, if a proceeding was pending in any stage at any time during the fiscal year, information thereon is included in Part A of these tables. If it was in the hands of a hearing examiner at any time during the year, additional information concerning its handling by the examiner, similar to the information in last year's tables, is included in Part B.

As used herein, the term "proceeding" means a matter which in normal course is referred to an examiner for evidentiary hearing, by oral or written presentation, and for recommended or initial decision by him, even though it may be a consolidated proceeding involving more than one petition, application, or complaint. Therefore, although a matter may involve several claimants, applicants, or respondents and several docket numbers, if it looks toward resolution by means of a joint hearing and a single decision binding upon all parties, it is reported as one "proceeding."

The question of when a matter becomes a "proceeding", that is, when it is commenced, for purposes of this report is important in connection with Part A. Under some administrative procedures, a proceeding as herein defined is commenced upon the filing of a complaint, petition, application, etc., as in the case of court actions. These are cases in which opportunity

for hearing ordinarily is afforded on every petition or complaint filed. For purposes of this report these cases are counted as proceedings from the date of initial filing, and the age of such proceedings is computed from that date.

Other procedures do not necessarily contemplate hearing in every case. For example, depending upon statutory authority, petitions or applications are often subject to summary administrative grant or denial without hearing, and are designated as proceedings in which there will be a hearing only where issues are presented which preclude summary administrative determination. These matters are not counted as proceedings for the purposes of this report until they reach the point where a determination is made that they are to be resolved in ordinary course by the hearing process. In these cases, the date of that determination, whether it be by designation for hearing, entry upon the hearing docket, or referral to the office of hearing examiners, is considered the date upon which the proceeding was commenced, and its age is computed therefrom.

The division into types of proceedings which is employed in these tables is a division made by the reporting agencies, although the characterizations have been abbreviated for purposes of the tables.

The separate listing of data by agency and by type of proceeding within each agency may tend to encourage comparisons between agencies and types of proceedings. Although it is believed that the information presented affords some opportunity for valid and useful comparison, obviously any comparison should be attempted only with full recognition of the many significant differences among the various agency proceedings.

PART A

Table 1 is intended to provide a general view of the entire "formal case" process in terms of each agency's volume and backlog, by type of proceeding. The first column indicates the number of pending cases with which each agency began the fiscal year,

whatever their stage of completion. The second and third columns report the year's input in new cases and cases which at some time had been closed but which, during the fiscal year, were reopened. The fourth column shows the output, and the fifth column shows the balance remaining at the end of the fiscal year. The grand totals at the end of the table demonstrate that there were 16,582 proceedings of all types in process before the 21 reporting agencies on July 1, 1957, that 32,783 proceedings were commenced or reopened during the fiscal year, that 25,824 were closed during that time, and that a balance of 23,541 proceedings were still pending on June 30, 1958.

It is to be noted that although the total number of pending cases of all types increased from 16,582 at the beginning of the fiscal year to 23,541 at the end of the year, an increase of 6,959 cases, 5,473 of these cases were appeals from benefits rights determinations in the Social Security Administration due to the extension of disability insurance benefits under the 1956 amendments to Title II of the Social Security Act. Of the 23,541 proceedings pending at the end of the year, 14,355 were Social Security cases. Eliminating the Social Security cases from the grand total figures, there were 9,186 proceedings pending at the end of the year, which represented an increase of 1,486 over the number pending at the beginning of the year.

The major increases in pending cases, other than in Social Security cases, were in the Federal Power Commission (from 426 to 956), Federal Communications Commission (from 97 to 169), Agriculture Department (from 65 to 100), Federal Trade Commission (from 262 to 326), and Interstate Commerce Commission (3,349 to 4,069).

The total number of cases closed during the fiscal year 1958 by all 21 reporting agencies was 25,824.

Table 2 demonstrates the age of proceedings pending at the end of the fiscal year. The age of each case was measured from its commencement, as that term is described above. The demonstration is by age grouping, since it is felt that this technique is perhaps more indicative than average or median figures.

Data as to age of proceedings are not available for Social Security cases or for Indian probate matters before Examiners of Inheritance in the Interior Department. Of the 7,505 cases pending on June 30, 1958, for which age data are available, more than one half (53%) were less than 6 months old, slightly less than one quarter (24%) were more than 6 months old but not more than one year old, 13% were over 1 year old but not over 2 years old, and the remaining 10% were almost evenly divided between the 2 to 3 years old and over 3 years old columns.

Table 3 indicates the manner in which the agencies disposed of the 25,824 proceedings which they closed during the fiscal year. The number of proceedings decided on the merits by agency final decision after hearing and decision by an examiner was 2,843, or 11% of the total, and an additional 1,205 (4.6%) were decided by the agencies without initial or recommended decision by an examiner. Of the latter group, 995 were Interstate Commerce Commission cases and 115 were National Labor Relations Board cases. In more than one half of the proceedings closed during the year the examiner's decision became the final decision of the agency without review by the agency (13,198 proceedings, or 51% of the total). Of these, 7,944 were Social Security cases, 1,611 were Indian probate matters, 1,424 were Interstate Commerce Commission cases, and 1,405 were cases before Coast Guard examiners. A total of 7,953 proceedings (31%) were dismissed or withdrawn without decision on the merits. This figure does not include cases which were disposed of by default, consent, settlement, or compromise.

Tables 4, 5 and 6 are concerned with the 2,843 proceedings mentioned above which were disposed of after hearing, examiner decision, and agency final decision, and provide information relative to the time involved in the disposition of such cases.

Table 4 illustrates the over-all time that such matters were pending, from commencement to final closing. These data are not available for the 328 Social Security cases which were taken up from the examiners to the Appeals Council. Of all of the other

types of proceedings, 9% were disposed of within 6 months after their commencement, 42% required from 6 months to a year, 39% were disposed of in periods of from 1 to 2 years, 6% took from 2 to 3 years, and 4% required more than 3 years.

Table 5 demonstrates the periods of time these proceedings were pending after their commencement, before they were assigned to examiners. Five agencies assign all proceedings to examiners at the time the proceedings are commenced. These agencies are the Federal Trade Commission, Social Security Administration, Bureau of Indian Affairs, Office of Alien Property, and the Coast Guard. The Civil Aeronautics Board makes such assignments in safety enforcement proceedings. Of the 2,842 proceedings closed during the year by agency final decision after an examiner's decision, 21% were assigned to examiners at the time they were commenced, 22% were assigned in 1 month or less, 33% in 1 to 3 months, 17% in 3 to 6 months, 5% in 6 to 12 months, and 2% were pending more than 1 year before they were assigned.

Table 6 reports the periods of time during which these same proceedings were under advisement by the agencies. In computing time under advisement, the period was measured from the date the matter was first ripe for agency final decision, that is, the time when the presentations to the agency were complete (last exceptions to examiner's decision filed, record certified, etc.), to issuance of the agency's final decision. Such data are not available for the 328 Social Security cases appealed to the agency. Of the 2,514 proceedings as to which such data are available, 41% were decided within 3 months. The agency's decisional process required more than one year in 9% of the cases.

PART B

Tables 7-11 repeat the basic information presented in the statistical tables in the 1957 report and add corresponding new data for the fiscal year 1958. They thereby afford comparison of the two years' experience under each item.

Part B concerns only those proceedings reported in Part A which at any time during the year were in the hands of hearing examiners. Further, it encompasses only that period in each proceeding when it was in the hands of the examiner, from the date of assignment of the proceeding to an examiner to the date its pendency before him terminates, regardless of whether that termination ultimately disposes of the proceeding insofar as the agency is concerned.

Table 7 gives the number of proceedings of each type for each agency pending before examiners on July 1, 1956 and July 1, 1957, input during each of the fiscal years 1957 and 1958 in terms of new cases assigned to examiners and cases remanded or reassigned to examiners, examiners' output during each year, and the balance still pending on June 30, 1957 and June 30, 1958.

Although comparison of the total number of proceedings pending at the end of fiscal 1957 with the number pending at the end of 1958 would seem to indicate a substantial increase in backlog, this increase, as in Table 1, is due for the most part to the influx of new cases before the Social Security Administration. Eliminating Social Security cases, the totals reflect an increase from 4,556 proceedings pending at the beginning of fiscal 1958, to 4,913 pending at the end of the year, or 7.8% increase. The number of proceedings other than Social Security proceedings disposed of by examiners during the year decreased from 10,518 in 1957 to 9,412 in 1958, a drop of 11.7%.

Table 8 demonstrates how long proceedings in the hands of examiners at the end of each year had been pending before examiners. In each case (except as noted in footnote 4) the period of time was measured from date of assignment to the examiner to June 30. Except for Social Security proceedings and Interior Department Indian probate cases, as to which these data are not available, approximately 10.9% of the cases before examiners at the end of the year had been assigned to examiners for over a year, as against the corresponding figure of 10.5% for fiscal 1957.

Table 9 shows the manner in which pendency of proceedings before hearing examiners was terminated during the fiscal years 1957 and 1958. Of the 22,736 cases disposed of by examiners during 1958, 16,278, or 71.6%, were decided on the merits after hearing, and 5,218, or 23% (of which 4,962 were Social Security cases), were dismissed or withdrawn without decision on the merits.

Table 10 concerns only proceedings disposed of by examiners during the fiscal years 1957 and 1958 by decision on the merits after hearing, and demonstrates as to those proceedings the overall time the matter was in the hands of an examiner, from assignment to an examiner to decision by him. Of the proceedings for which such information is available for 1958, 53% were disposed of within 3 months of the date of assignment to the examiner, and less than 1% required more than 2 years. By comparison 58% were disposed of in 3 months or less in 1957.

Table 11 reports, for the same proceedings, the time under advisement by an examiner. For this purpose time under advisement was measured from the date of final submission of the matter to the examiner for his decision (last proposed findings and brief filed, etc.) to the date the examiner's decision was issued. In 1958, 34% of the proceedings reported in Table 11 were decided by examiners in 1 month or less, 84% in 3 months or less, and 96% in 6 months or less. The corresponding figures for 1957 are 40% within 1 month, 79% within 3 months, and 97% within 6 months.

Table 12, except as to the column showing the average number of decisions per man-year, goes beyond the limitations described above relative to types of proceedings, and considers generally the employment of examiners in all kinds of cases. Under the first heading the table shows the total number of examiners employed at the beginning of each of the fiscal years 1956, 1957, and 1958. Of the total employed on July 1, 1958, 160 were in grade GS-15, 61 were GS-14, 109 were GS-13, and 10 were GS-12.

Figures in the column showing man-years of examiner time available to each agency during the fiscal years 1957 and 1958 take into account inter-agency loans of examiners as well as separations from and entrances upon service.

For purposes of the column which shows the average number of days per man-year spent by examiners presiding over hearings and pre-hearing or hearing conferences, the agencies were asked to report as a day of hearing any day on which the examiner presided over a hearing or conference, whether for the full day or only part of the day, and whether in one proceeding or more than one. The total number of days thus reported was divided by the agency's man-years figure in the preceding column to provide the figures shown in the column showing average number of days in hearing.

Similarly, figures in the column showing average number of decisions per man-year were computed by dividing, for each agency, the total number of examiner decisions on the merits after hearing, as shown in the second column of Table 9, by the man-years figure in the second column of this table. The last column shows the number of cases assigned to an examiner with the intention that he not issue a decision but instead merely conduct the hearing and certify the record to the agency for its decision. This column does not include cases wherein the examiner would have issued a decision but for waiver thereof.

PART A - PROCEEDINGS PENDING BEFORE FEDERAL AGENCIES
DURING THE FISCAL YEAR 1958

TABLE 1 - BACKLOG AND VOLUME DATA BY TYPES OF PROCEEDINGS

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of cases pending July 1, 1957	New cases commenced during fiscal year 1958	Closed cases reopened during the year	Cases closed during fiscal year 1958	Balance pending on June 30, 1958
AGRICULTURE DEPARTMENT					
AMA marketing order contests, 7 USC §608c(15)(A)	19	14	-	14	19
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	4	14	-	8	10
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	30	62	-	36	56
P&S rate determinations, 7 USC §207	4	29	-	32	1
PACA license denial, 7 USC §499d	1	4	-	5	-
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9	4	4	-	1	7
CEA susp. of trading priv., 7 USC §9	-	3	-	1	2
PACA lic. susp. or rev., 7 USC §499h	3	9	-	7	5
TOTALS	65	139	-	104	100
1/					
CIVIL AERONAUTICS BOARD					
Route licensing, 49 USC §481	216	65	-	65	216
Foreign permits, 49 USC §482	38	21	-	36	23
Adequacy of service, 49 USC §484	13	1	-	1	13

Mail rates, 49 USC §486	2	1	2	2	3
Carrier relations, 49 USC §§488,489	31	8	-	17	22
Agreements, 49 USC §492	9	12	-	6	15
Exemptions, 49 USC §496	1	1	-	-	2
Commercial rates, 49 USC §642	25	17	-	22	20
Econ. enf., 49 USC §§425,495,641,642	22	11	-	6	27
Medical review, 49 USC §552	34	34	-	28	40
Safety enforcement, 49 USC §559	79	202	9	196	94
Safety enf. non-hearing, 49 USC §559	170	500	10	498	182
TOTALS	640	873	21	877	657
CIVIL SERVICE COMMISSION					
Hatch Act violations, 5 USC §118k	1	5	-	1	5
FEDERAL COMMUNICATIONS COMMISSION 2/					
Broadcast radio and television, 47 USC §§309,312,316,325,405,406					
Common carrier services, 47 USC §§204,205,214,221,222					
Safety & spec. services, 47 USC §359					
Field eng. & mon., 47 USC §303(m)(2)					
TOTALS	97	181	2	111	169
FEDERAL MARITIME BOARD					
Regulatory, 46 USC §§813,822,845, 861,891,1101	32	13	-	13	32
Subsidy, 46 USC §1101	12	-	-	5	7
Charter, 5 USC App. §1738	-	1	-	1	-
TOTALS	44	14	-	19	39

(Footnotes at end of table)

TABLE 1 - BACKLOG AND VOLUME DATA BY TYPES OF PROCEEDINGS (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of cases pending July 1, 1957	New cases commenced during fiscal year 1958	Closed cases reopened during the year	Cases closed during fiscal year 1958	Balance pending on June 30, 1958
FEDERAL POWER COMMISSION					
NGA §4(e) investig., 15 USC §717c(e)	326	530	7	12	851
NGA §§4(e),5(a) new schd. susp.&rate determ., 15 USC §§717c(e),717d(a)	11	-	-	4	7
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	25	12	-	-	37
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	4	4	1	7	2
NGA §7(c) construction certificates, 15 USC §717f(c)	47	18	3	22	46
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c)	0	1	-	0	1
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	2	-	-	-	2
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	5	2	-	1	6
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	4	2	1	5	2
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817	-	1	-	-	1
FPA §205 rate determs., 16 USC §824d	1	2	-	2	1
FPA §206 investigats., 16 USC §824e	-	-	1	1	-
FPA rule making, 16 USC §825h	1	-	-	1	-
TOTALS	426	572	13	55	956

FEDERAL TRADE COMMISSION					
Cease & desist orders, 15 USC §§13, 21,45(b),52,55(a),68d,69f,1194	262	354	1	291	326
HEALTH, EDUCATION, AND WELFARE DEPT.					
FOOD AND DRUG ADMINISTRATION					
Suspension of new drug applications, 21 USC §355(e)	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION					
Appeals from benefits rights determinations, 42 USC §405	8,882	18,534	173	13,234	14,355
INTERIOR DEPARTMENT					
BUREAU OF LAND MANAGEMENT					
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	142	134	2	109	169
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	31	13	-	15	29
Placer mining orders, 30 USC §621(b)	7	2	-	8	1
Appeals from Range Managers' decisions, 43 USC §315h	138	61	-	79	120
FRC enforcement proc., 43 USC §315a	2	7	1	2	8
TOTALS	320	217	3	213	327
BUREAU OF INDIAN AFFAIRS					
Indian probate, 25 USC §§372,373	1,625	1,679		1,623	1,681

(Footnotes at end of table)

TABLE 1 - BACKLOG AND VOLUME DATA BY TYPES OF PROCEEDINGS (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of cases pending July 1, 1957	New cases commenced during fiscal year 1958	Closed cases reopened during the year	Cases closed during fiscal year 1958	Balance pending on June 30, 1958
INTERSTATE COMMERCE COMMISSION					
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	1,977	4,571	-	4,037	2,511
Finance and transfer of operating authority, 49 USC §§312,912,1010	270	398	22	381	309
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	1,007	2,185	82	2,284	990
Bankruptcy Act reorganizations, 11 USC §205	4	-	-	-	4
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	91	239	13	88	255
TOTALS	3,349	7,393	117	6,790	4,069
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY					
Claims, 50 USC App. §§9,32,34	138	45	-	90	93
LABOR DEPARTMENT					
Walsh-Healey Act enforc., 41 USC §39	25	36	-	36	25
Determinations as to statutory qualification to contract, 41 USC §39	3	1		4	-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	-	-	-	-	-
TOTALS	28	37	-	40	25

NATIONAL LABOR RELATIONS BOARD					
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	182	280	8	253	217
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	36	72	-	58	50
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	42	84	-	75	51
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	2	7	-	4	5
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	-	-	-	-	-
CA - CB cases, 29 USC §160(b)	60	72	1	75	58
CA - CC cases, 29 USC §160(b)	2	2	-	1	3
CA - CD cases, 29 USC §§160(b),(k)	-	1	-	-	1
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	5	8	-	6	7
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii)	3	-	-	2	1
CB - CC cases, 29 USC §160(b)	7	9	-	12	4
CC - CD cases, 29 USC §160(b),(k)	2	3	-	5	-
TOTALS	341	538	9	491	397
POST OFFICE DEPARTMENT					
Fraud & lottery, 39 USC §§259,732	50	129	5	146	38
"Unlawful" orders, 39 USC §259a	25	31	1	55	2
Mailability, 18 USC §§1302,1461	-	9	-	9	-
2nd class applications, 39 USC §232	7	8	-	14	1
TOTALS	82	177	6	224	41

TABLE 1 - BACKLOG AND VOLUME DATA BY TYPES OF PROCEEDINGS (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of cases pending July 1, 1957	New cases commenced during fiscal year 1958	Closed cases reopened during the year	Cases closed during fiscal year 1958	Balance pending on June 30, 1958
SECURITIES AND EXCHANGE COMMISSION					
Stop orders (SA), 15 USC §77h(d)	12	29	-	18	23
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	49	57	-	62	44
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	6	3	-	3	6
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	3	11	-	6	8
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	1	8	-	5	4
IAA registration, 15 USC §80b-3	2	3	-	2	3
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11	2	1	-	1	2
TOTALS	75	112	-	97	90
SUBVERSIVE ACTIVITIES CONTROL BOARD					
Communist action, front, infiltrated organizations, 50 USC §§792,792a	12	-	2	6	8

TREASURY DEPARTMENT					
COAST GUARD					
Suspension or revocation of marine licenses, 46 USC §§239,239b	171	1,516	1	1,497	191
DIRECTOR OF PRACTICE					
Disbarment or suspension, 5 USC §261	-	-	-	-	-
IRS ALCOHOL AND TOBACCO TAX DIVISION					
Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	24	47	2	61	12
GRAND TOTALS - 21 AGENCIES	16,582	32,433	350	25,824	23,541

1/ Except for safety enforcement proceedings, all of the data reported by the CAB include actual figures for cases in process, but estimated figures for cases awaiting action. The CAB report explains that the number of proceedings awaiting action and the number of new cases filed are necessarily only judgment figures because it cannot be determined in advance that a particular docket will be subject to hearing or how many dockets will be consolidated into a single proceeding. For example, the number of route licensing proceedings pending at the beginning of the year (reported as 216) includes 39 actual proceedings in process and an estimated 177 proceedings awaiting action.

2/ FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the totals are available.

TABLE 2 - AGE OF PROCEEDINGS PENDING AT THE END OF THE FISCAL YEAR

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total pending June 30, 1958	Number pending 6 months or less	Over 6 months but not over 12	Over 1 year but not over 2	Over 2 years but not over 3	Pending over 3 years
AGRICULTURE DEPARTMENT						
AMA marketing order contests, 7 USC §608c(15)(A)	19	6	7	6	-	-
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	10	6	2	1	-	1
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	56	42	3	7	4	-
P&S rate determinations, 7 USC §207	1	1	-	-	-	-
PACA license denial, 7 USC §499d	-	-	-	-	-	-
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9	7	4	-	1	2	-
CEA susp. of trading priv., 7 USC §9	2	2	-	-	-	-
PACA lic. susp. or rev., 7 USC §499h	5	3	1	1	-	-
TOTALS	100	64	13	16	6	1
CIVIL AERONAUTICS BOARD 1/						
Route licensing, 49 USC §481	216	26	14	24	46	106
Foreign permits, 49 USC §482	23	5	3	2	1	12
Adequacy of service, 49 USC §484	13	1	1	5	2	4
Mail rates, 49 USC §486	3	-	-	1	1	1
Carrier relations, 49 USC §§488,489	22	7	5	4	2	4

Agreements, 49 USC §492	15	-	1	2	1	11
Exemptions, 49 USC §496	2	1	-	-	-	1
Commercial rates, 49 USC §642	20	5	3	2	6	4
Econ. enf., 49 USC §§425,495,641,642	27	8	2	14	1	2
Medical review, 49 USC §552	40	12	9	16	3	-
Safety enforcement, 49 USC §559	94	53	31	10	-	-
Safety enf. non-hearing, 49 USC §559	182	150	31	1	-	-
TOTALS	657	268	100	81	63	145
CIVIL SERVICE COMMISSION						
Hatch Act violations, 5 USC §118k	5	4	-	1	-	-
FEDERAL COMMUNICATIONS COMMISSION 2/						
Broadcast radio and television, 47 USC §§309,312,316,325,405,406						
Common carrier services, 47 USC §§204,205,214,221,222						
Safety & spec. services, 47 USC §359						
Field eng. & mon., 47 USC §303(m)(2)						
TOTALS	169	72	40	31	12	14
FEDERAL MARITIME BOARD						
Regulatory, 46 USC §§813,822,845, 861,891,1101	32	4	6	11	3	8
Subsidy, 46 USC §1101	7	-	-	4	3	-
Charter, 5 USC App. §1738	-	-	-	-	-	-
TOTALS	39	4	6	15	6	8

(Footnotes at end of table)

TABLE 2 - AGE OF PROCEEDINGS PENDING AT THE END OF THE FISCAL YEAR (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total pending June 30, 1958	Number pending 6 months or less	Over 6 months but not over 12	Over 1 year but not over 2	Over 2 years but not over 3	Pending over 3 years
FEDERAL POWER COMMISSION						
NGA §4(e) investig., 15 USC §717c(e)	851	245	348	174	70	14
NGA §§4(e),5(a) new schd. susp.& rate determ., 15 USC §§717c(e),717d(a)	7	-	-	2	2	3
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	37	4	8	7	17	1
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	2	-	1	-	-	1
NGA §7(c) construction certificates, 15 USC §717f(c)	46	-	3	3	9	31
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c)	1	-	1	-	-	-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	2	-	-	-	-	2
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	6	-	-	-	3	3
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	2	2	-	-	-	-
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817	1	-	1	-	-	-
FPA §205 rate determs., 16 USC §824d	1	1	-	-	-	-

FPA §206 investigats., 16 USC §824e	-	-	-	-	-	-
FPA rule making, 16 USC §825h	-	-	-	-	-	-
TOTALS	956	252	362	186	101	55
FEDERAL TRADE COMMISSION						
Cease & desist orders, 15 USC §§13, 21,45(b),52(a),68d,69f,1194	326	144	78	36	29	39
HEALTH, EDUCATION, AND WELFARE DEPT.						
FOOD AND DRUG ADMINISTRATION						
Suspension of new drug applications, 21 USC §355(e)	-	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION						
Appeals from benefits rights determinations, 42 USC §405	5/(14,355)	DATA NOT AVAILABLE 3/				
INTERIOR DEPARTMENT						
BUREAU OF LAND MANAGEMENT						
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	169	61	37	24	20	27
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	29	9	3	11	4	2
Placer mining orders, 30 USC §621(b)	1	-	-	1	-	-
Appeals from Range Managers' decisions, 43 USC §315h	120	37	5	63	5	10
FRC enforcement proc., 43 USC §315a	8	3	3	2	0	0
TOTALS	327	110	48	101	29	39
BUREAU OF INDIAN AFFAIRS						
Indian probate, 25 USC §§372,373	5/ (1,681)	DATA NOT AVAILABLE				

(Footnotes at end of table)

TABLE 2 - AGE OF PROCEEDINGS PENDING AT THE END OF THE FISCAL YEAR (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total pending June 30, 1958	Number pending 6 months or less	Over 6 months but not over 12	Over 1 year but not over 2	Over 2 years but not over 3	Pending over 3 years
INTERSTATE COMMERCE COMMISSION						
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	2,511	1,652	680	157	17	5
Finance and transfer of operating authority, 49 USC §§312,912,1010	309	118	108	65	18	-
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	990	668	168	100	39	15
Bankruptcy Act reorganizations, 11 USC §205	4	-	-	3	1	-
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	255	221	13	14	2	5
TOTALS	4,069	2,659	969	339	77	25
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY						
Claims, 50 USC App. §§9,32,34	93	18	23	34	9	9
LABOR DEPARTMENT						
Walsh-Healey Act enforc., 41 USC §39	25	16	2	3	2	2
Determinations as to statutory qualification to contract, 41 USC §39	-	-	-	-	-	-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	-	-	-	-	-	-
TOTALS	25	16	2	3	2	2

NATIONAL LABOR RELATIONS BOARD						
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	217	131	50	32	3	1
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	50	26	16	5	3	-
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	51	21	21	9	-	-
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	5	3	2	-	-	-
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	-	-	-	-	-	-
CA - CB cases, 29 USC §160(b)	58	22	21	12	3	-
CA - CC cases, 29 USC §160(b)	3	1	-	2	-	-
CA - CD cases, 29 USC §§160(b),(k)	1	1	-	-	-	-
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	7	4	3	-	-	-
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii)	1	-	-	1	-	-
CB - CC cases, 29 USC §160(b)	4	3	1	-	-	-
CC - CD cases, 29 USC §160(b),(k)	-	-	-	-	-	-
TOTALS	397	212	114	61	9	1
POST OFFICE DEPARTMENT						
Fraud & lottery, 39 USC §§259,732	38	29	4	3	1	1
"Unlawful" orders, 39 USC §259a	2	2	-	-	-	-
Mailability, 18 USC §§1302,1461	-	-	-	-	-	-
2nd class applications, 39 USC §232	1	1	-	-	-	-
TOTALS	41	32	4	3	1	1

TABLE 2 - AGE OF PROCEEDINGS PENDING AT THE END OF THE FISCAL YEAR (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total pending June 30, 1958	Number pending 6 months or less	Over 6 months but not over 12	Over 1 year but not over 2	Over 2 years but not over 3	Pending over 3 years
SECURITIES AND EXCHANGE COMMISSION						
Stop orders (SA), 15 USC §77h(d)	23	3	14	6	-	-
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	44	19	10	15	-	-
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	6	-	2	4	-	-
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	8	6	-	2	-	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	4	2	2	-	-	-
IAA registration, 15 USC §80b-3	3	3	-	-	-	-
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11	2	1	-	1	-	-
TOTALS	90	34	28	28	-	-
SUBVERSIVE ACTIVITIES CONTROL BOARD						
Communist action, front, infiltrated organizations, 50 USC §§792,792a	8	-	-	4/ 3	4/ 2	3
TREASURY DEPARTMENT						
COAST GUARD						
Suspension or revocation of marine licenses, 46 USC §§239,239b	191	93	43	50	5	-

DIRECTOR OF PRACTICE						
Disbarment or suspension, 5 USC §261	-	-	-	-	-	-
IRS ALCOHOL AND TOBACCO TAX DIVISION						
Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	12	8	1	1	1	1
GRAND TOTALS - 21 AGENCIES	5/ 7,505	3,990	1,831	989	352	343

1/ Except for safety enforcement proceedings, all of the data reported by the CAB include actual figures for cases in process, but estimated figures for cases awaiting action. The CAB report explains that the number of proceedings awaiting action and the number of new cases filed are necessarily only judgement figures because it cannot be determined in advance that a particular docket will be subject to hearing or how many dockets will be consolidated into a single proceeding.

2/ FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the totals are available.

3/ Of the 14,355 Social Security cases pending on June 30, 1958, a total of 5,060 had been pending before examiners more than 60 days after receipt of the claims files. The SSA estimates that in these 5,060 cases the average time from assignment to an examiner was 6 or 7 months.

4/ All of these cases were suspended for the last eight months of calendar year 1956 and the entire calendar year 1958, during required reconsiderations of the Communist Party case under successive remands from the Courts.

5/ The last column of Table 1 reports 23,541 proceedings of all types pending on June 30, 1958. However, this table includes age data on only 7,505 of these proceedings since such data are not available for the 14,355 Social Security cases or the 1,681 Indian probate cases pending at the end of the year.

TABLE 3 - PROCEEDINGS CLOSED DURING THE FISCAL YEAR - MANNER OF DISPOSITION

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Total cases closed during fiscal year 1958	Dismiss. or withdrawal without decision on the merits	Examiner decision which became final without review	Agency decision on the merits without examiner decision	Agency decision on the merits after examiner decision	Default, consent, settlement, compromise and other
AGRICULTURE DEPARTMENT						
AMA marketing order contests, 7 USC §608c(15)(A)	14	7	-	-	5	1/ 2
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	8	-	-	-	-	2/ 8
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	36	6	-	-	5	2/ 25
P&S rate determinations, 7 USC §207	32	-	-	-	-	2/ 32
PACA license denial, 7 USC §499d	5	2	-	-	2	2/ 1
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9	1	-	-	-	-	2/ 1
CEA susp. of trading priv., 7 USC §9	1	-	-	-	-	2/ 1
PACA lic. susp. or rev., 7 USC §499h	7	-	-	-	4	2/ 3
TOTALS	104	15	-	-	16	73
CIVIL AERONAUTICS BOARD						
Route licensing, 49 USC §481	65	27	-	-	14	3/ 24
Foreign permits, 49 USC §482	36	10	-	-	22	4/ 4
Adequacy of service, 49 USC §484	1	-	-	-	-	5/ 1
Mail rates, 49 USC §486	2	2	-	-	-	-

Carrier relations, 49 USC §§488,489	17	7	-	-	8	6/ 2
Agreements, 49 USC §492	6	-	-	-	6	-
Exemptions, 49 USC §496	-	-	-	-	-	-
Commercial rates, 49 USC §642	22	1	-	1	5	7/ 15
Econ. enf., 49 USC §§425,495,641,642	6	1	-	-	1	8/ 4
Medical review, 49 USC §552	28	5	21	-	1	9/ 1
Safety enforcement, 49 USC §559	196	17	150	-	29	-
Safety enf. non-hearing, 49 USC §559	498	21	452	-	25	-
TOTALS	877	91	623	1	111	51
CIVIL SERVICE COMMISSION						
Hatch Act violations, 5 USC §118k	1	-	-	-	1	-
FEDERAL COMMUNICATIONS COMMISSION 10/						
Broadcast radio and television, 47 USC §§309,312,316,325,405,406						
Common carrier services, 47 USC §§204,205,214,221,222						
Safety & spec. services, 47 USC §359						
Field eng. & mon., 47 USC §303(m)(2)						
TOTALS	111	23	7	-	81	-
FEDERAL MARITIME BOARD						
Regulatory, 46 USC §§813,822,845, 861,891,1101	13	2	-	-	6	11/ 5 11/
Subsidy, 46 USC §1101	5	2	-	-	3	-
Charter, 5 USC App. §1738	1	-	-	-	1	-
TOTALS	19	4	-	-	10	5

(Footnotes at end of table)

TABLE 3 - PROCEEDINGS CLOSED DURING THE FISCAL YEAR - MANNER OF DISPOSITION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Total cases closed during fiscal year 1958	Dismiss. or withdrawal without decision on the merits	Examiner decision which became final without review	Agency Decision on the merits without examiner decision	Agency decision on the merits after examiner decision	Default, consent, settlement, compromise and other
FEDERAL POWER COMMISSION						
NGA §4(e) investig., 15 USC §717c(e)	12	3	-	1	8	-
NGA §§4(e),5(a) new schd. susp.& rate determ., 15 USC §§717c(e),717d(a)	4	-	2	-	2	-
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	-	-	-	-	-	-
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	7	-	3	2	2	-
NGA §7(c) construction certificates, 15 USC §717f(c)	22	-	6	10	6	-
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c)	-	-	-	-	-	-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	-	-	-	-	-	-
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	1	-	1	-	-	-
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	5	-	-	3	2	-
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817	-	-	-	-	-	-
FPA §205 rate determs., 16 USC §824d	2	-	-	1	1	-

Carrier relations, 49 USC §§488,489	17	7	-	-	8	6/ 2
Agreements, 49 USC §492	6	-	-	-	6	-
Exemptions, 49 USC §496	-	-	-	-	-	-
Commercial rates, 49 USC §642	22	1	-	1	5	7/ 15
Econ. enf., 49 USC §§425,495,641,642	6	1	-	-	1	8/ 4
Medical review, 49 USC §552	28	5	21	-	1	9/ 1
Safety enforcement, 49 USC §559	196	17	150	-	29	-
Safety enf. non-hearing, 49 USC §559	498	21	452	-	25	-
TOTALS	877	91	623	1	111	51
CIVIL SERVICE COMMISSION						
Hatch Act violations, 5 USC §118k	1	-	-	-	1	-
FEDERAL COMMUNICATIONS COMMISSION 10/						
Broadcast radio and television, 47 USC §§309,312,316,325,405,406						
Common carrier services, 47 USC §§204,205,214,221,222						
Safety & spec. services, 47 USC §359						
Field eng. & mon., 47 USC §303(m)(2)						
TOTALS	111	23	7	-	81	-
FEDERAL MARITIME BOARD						
Regulatory, 46 USC §§813,822,845, 861,891,1101	13	2	-	-	6	11/ 5 11/
Subsidy, 46 USC §1101	5	2	-	-	3	-
Charter, 5 USC App. §1738	1	-	-	-	1	-
TOTALS	19	4	-	-	10	5

(Footnotes at end of table)

TABLE 3 - PROCEEDINGS CLOSED DURING THE FISCAL YEAR - MANNER OF DISPOSITION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Total cases closed during fiscal year 1958	Dismiss. or withdrawal without decision on the merits	Examiner decision which became final without review	Agency Decision on the merits without examiner decision	Agency decision on the merits after examiner decision	Default, consent, settlement, compromise and other
FEDERAL POWER COMMISSION						
NGA §4(e) investig., 15 USC §717c(e)	12	3	-	1	8	-
NGA §§4(e),5(a) new schd. susp.& rate determ., 15 USC §§717c(e),717d(a)	4	-	2	-	2	-
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	-	-	-	-	-	-
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	7	-	3	2	2	-
NGA §7(c) construction certificates, 15 USC §717f(c)	22	-	6	10	6	-
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c)	-	-	-	-	-	-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	-	-	-	-	-	-
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	1	-	1	-	-	-
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	5	-	-	3	2	-
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817	-	-	-	-	-	-
FPA §205 rate determs., 16 USC §824d	2	-	-	1	1	-

FPA §206 investigats., 16 USC §824e	1	-	-	1	-	-
FPA rule making, 16 USC §825h	1	-	1	-	-	-
TOTALS	55	3	13	18	21	-
FEDERAL TRADE COMMISSION						
Cease & desist orders, 15 USC §§13, 21,45(b),52(a),68d,69f,1194	291	12/ 11	-	13/ 1	53	14/ 226
HEALTH, EDUCATION, AND WELFARE DEPT.						
FOOD AND DRUG ADMINISTRATION						
Suspension of new drug applications, 21 USC §355(e)	-	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION						
Appeals from benefits rights determinations, 42 USC §405	13,234	4,962	7,944	-	328	-
INTERIOR DEPARTMENT						
BUREAU OF LAND MANAGEMENT						
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	109	18	46	-	13	15/ 32
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	15	11	3	-	-	11/ 1
Placer mining orders, 30 USC §621(b)	8	-	5	-	-	11/ 3
Appeals from Range Managers' decisions, 43 USC §315h	79	55	11	-	13	-
FRC enforcement proc., 43 USC §315a	2	2	-	-	-	-
TOTALS	213	86	65	-	26	36
BUREAU OF INDIAN AFFAIRS						
Indian probate, 25 USC §§372,373	1,623	-	1,611	-	11	1

(Footnotes at end of table)

TABLE 3 - PROCEEDINGS CLOSED DURING THE FISCAL YEAR - MANNER OF DISPOSITION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Total cases closed during fiscal year 1958	Dismiss. or with-drawal without decision on the merits	Examiner decision which became final without review	Agency Decision on the merits without examiner decision	Agency decision on the merits after examiner decision	Default, consent, settle-ment, compro-mise and other
INTERSTATE COMMERCE COMMISSION						
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	4,037	1,021	1,317	368	1,331	-
Finance and transfer of operating authority, 49 USC §§312,912,1010	381	39	60	194	88	-
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	2,284	1,605	24	424	231	-
Bankruptcy Act reorganizations, 11 USC §205	-	-	-	-	-	-
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	88	19	23	9	37	-
TOTALS	6,790	2,684	1,424	995	1,687	-
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY						
Claims, 50 USC App. §§9,32,34	90	4	-	-	86	-
LABOR DEPARTMENT						
Walsh-Healey Act enforc., 41 USC §39	36	-	21	-	9	2/ 6
Determinations as to statutory qualification to contract, 41 USC §39	4	-	-	-	4	-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	-	-	-	-	-	-
TOTALS	40	-	21	-	13	6

NATIONAL LABOR RELATIONS BOARD						
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	253	14	38	40	111	16/ 50
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	58	2	5	15	24	16/ 12
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	75	8	9	19	26	16/ 13
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	4	-	-	2	2	-
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	-	-	-	-	-	-
CA - CB cases, 29 USC §160(b)	75	2	3	34	23	16/ 13
CA - CC cases, 29 USC §160(b)	1	-	-	1	-	-
CA - CD cases, 29 USC §§160(b),(k)	-	-	-	-	-	-
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	6	-	2	-	4	-
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii)	2	-	1	-	1	-
CB - CC cases, 29 USC §160(b)	12	-	-	2	3	16/ 7
CC - CD cases, 29 USC §160(b),(k)	5	-	-	2	2	16/ 1
TOTALS	491	26	58	115	196	16/ 96
POST OFFICE DEPARTMENT						
Fraud & lottery, 39 USC §§259,732	146	6	11	-	26	17/ 103
"Unlawful" orders, 39 USC §259a	55	3	7	1	35	18/ 9
Mailability, 18 USC §§1302,1461	9	5	-	-	3	11/ 1
2nd class applications, 39 USC §232	14	1	-	-	13	-
TOTALS	224	15	18	1	77	113

(Footnotes at end of table)

TABLE 3 - PROCEEDINGS CLOSED DURING THE FISCAL YEAR - MANNER OF DISPOSITION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Total cases closed during fiscal year 1958	Dismiss. or withdrawal without decision on the merits	Examiner decision which became final without review	Agency decision on the merits without examiner decision	Agency decision on the merits after examiner decision	Default, consent, settlement, compromise and other
SECURITIES AND EXCHANGE COMMISSION						
Stop orders (SA), 15 USC §77h(d)	18	-	-	13	5	-
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	62	-	-	45	17	-
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	3	-	-	3	-	-
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	6	-	-	6	-	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	5	-	-	5	-	-
IAA registration, 15 USC §80b-3	2	-	-	1	1	-
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11	1	-	-	1	-	-
TOTALS	97	-	-	74	23	-
SUBVERSIVE ACTIVITIES CONTROL BOARD						
Communist action, front, infiltrated organizations, 50 USC §§792,792a	6	3	-	-	3	-
TREASURY DEPARTMENT						
COAST GUARD						
Suspension or revocation of marine licenses, 46 USC §§239,239b	1,497	8	1,405	-	76	19/ 8

DIRECTOR OF PRACTICE						
Disbarment or suspension, 5 USC §261	-	-	-	-	-	-
IRS ALCOHOL AND TOBACCO TAX DIVISION						
Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	61	18	9	-	24	20/ 10
GRAND TOTALS - 21 AGENCIES	25,824	7,953	13,198	1,205	2,843	625

1/ Consent dismissal
2/ Consent order
3/ 20 moot and 4 default
4/ Moot
5/ Manner of disposition not indicated
6/ 1 moot and 1 settled
7/ 1 moot, 8 settled, 6 disposition not indicated
8/ 2 settled and 2 disposition not indicated
9/ Terminated as a medical review case and re-instituted in complaint status
10/ FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the totals are available.
11/ Settled
12/ Dismissed by Commission upon recommendation of examiner before hearings "without prejudice to -- further action."
13/ Dismissed by Commission on interlocutory appeal from examiner
14/ 219 consent orders and 7 default orders
15/ 14 settled and 18 consent decisions
16/ Settled or disposed of by consolidation
17/ 88 affidavits of discontinuance and 15 default orders
18/ 3 affidavits of discontinuance and 6 default orders
19/ 2 deaths, 5 change of venue, 1 voluntary surrender of document after hearing started
20/ 9 settlement and 1 default order

TABLE 4 - OVER-ALL TIME FROM COMMENCEMENT OF PROCEEDING TO FINAL AGENCY DISPOSITION - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Closed in 6 months or less	Over 6 months but not over 12	Over 1 year but not over 2	Over 2 years but not over 3	Over 3 years
AGRICULTURE DEPARTMENT						
AMA marketing order contests, 7 USC §608c(15)(A)	5	-	-	3	-	2
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	-	-	-	-	-	-
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	5	2	2	1	-	-
P&S rate determinations, 7 USC §207	-	-	-	-	-	-
PACA license denial, 7 USC §499d	2	1	1	-	-	-
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9	-	-	-	-	-	-
CEA susp. of trading priv., 7 USC §9	-	-	-	-	-	-
PACA lic. susp. or rev., 7 USC §499h	4	4	-	-	-	-
TOTALS	16	7	3	4	-	2
CIVIL AERONAUTICS BOARD						
Route licensing, 49 USC §481	14	5	1	3	1	4
Foreign permits, 49 USC §482	22	15	4	1	-	2
Adequacy of service, 49 USC §484	-	-	-	-	-	-
Mail rates, 49 USC §486	-	-	-	-	-	-
Carrier relations, 49 USC §§488,489	8	1	5	1	-	1

Agreements, 49 USC §492	6	5	1	-	-	-
Exemptions, 49 USC §496	-	-	-	-	-	-
Commercial rates, 49 USC §642	5	-	3	1	1	-
Econ. enf., 49 USC §§425,495,641,642	1	-	-	1	-	-
Medical review, 49 USC §552	1	-	-	1	-	-
Safety enforcement, 49 USC §559	29	7	13	7	2	-
Safety enf. non-hearing, 49 USC §559	25	15	5	5	-	-
TOTALS	111	48	32	20	4	7
CIVIL SERVICE COMMISSION						
Hatch Act violations, 5 USC §118k	1	-	1	-	-	-
FEDERAL COMMUNICATIONS COMMISSION[1/]						
Broadcast radio and television, 47 USC §§309,312,316,325,405,406						
Common carrier services, 47 USC §§204,205,214,221,222						
Safety & spec. services, 47 USC §359						
Field eng. & mon., 47 USC §303(m)(2)						
TOTALS	81	3	29	30	10	9
FEDERAL MARITIME BOARD						
Regulatory, 46 USC §§813,822,845, 861,891,1101	6	-	1	2	2	1
Subsidy, 46 USC §1101	3	-	-	3	-	-
Charter, 5 USC App. §1738	1	1	-	-	-	-
TOTALS	10	1	1	5	2	1

(Footnotes at end of table)

TABLE 4 - OVER-ALL TIME FROM COMMENCEMENT OF PROCEEDING TO FINAL AGENCY DISPOSITION - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY
FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Closed in 6 months or less	Over 6 months but not over 12	Over 1 year but not over 2	Over 2 years but not over 3	Over 3 years
FEDERAL POWER COMMISSION						
NGA §4(e) investig., 15 USC §717c(e)	8	-	2	1	4	1
NGA §§4(e),5(a) new schd. susp.&rate determ., 15 USC §§717c(e),717d(a)	2	-	-	-	-	2
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	-	-	-	-	-	-
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	2	-	1	-	1	-
NGA §7(c) construction certificates, 15 USC §717f(c)	6	-	2	4	-	-
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c)	-	-	-	-	-	-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	-	-	-	-	-	-
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	-	-	-	-	-	-
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	2	-	-	1	1	-
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817	-	-	-	-	-	-
FPA §205 rate determs., 16 USC §824d	1	-	1	-	-	-

FPA §206 investigats., 16 USC §824e	-	-	-	-	-	-
FPA rule making, 16 USC §825h	-	-	-	-	-	-
TOTALS	21	-	6	6	6	3
FEDERAL TRADE COMMISSION						
Cease & desist orders, 15 USC §§13, 21,45(b),52,55(a),68d,69f,1194	53	1	8	26	13	5
HEALTH, EDUCATION, AND WELFARE DEPT.						
FOOD AND DRUG ADMINISTRATION						
Suspension of new drug applications, 21 USC §355(e)	-	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION						
Appeals from benefits rights determinations, 42 USC §405	5/ (328)	(Data not available)				
INTERIOR DEPARTMENT						
BUREAU OF LAND MANAGEMENT						
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	13	-	-	-	4	9
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	-	-	-	-	-	-
Placer mining orders, 30 USC §621(b)	-	-	-	-	-	-
Appeals from Range Managers' decisions, 43 USC §315h	13	-	-	1	-	12
FRC enforcement proc., 43 USC §315a	-	-	-	-	-	-
TOTALS	26	-	-	1	4	21
BUREAU OF INDIAN AFFAIRS 2/						
Indian probate, 25 USC §§372,373	11	3	-	5	2	1

(Footnotes at end of table)

TABLE 4 - OVER-ALL TIME FROM COMMENCEMENT OF PROCEEDING TO FINAL AGENCY DISPOSITION - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY
FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Closed in 6 months or less	Over 6 months but not over 12	Over 1 year but not over 2	Over 2 years but not over 3	Over 3 years
INTERSTATE COMMERCE COMMISSION						
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	1,331	102	685	495	33	16
Finance and transfer of operating authority, 49 USC §§312,912,1010	88	3	18	60	6	1
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	231	2	57	124	37	11
Bankruptcy Act reorganizations, 11 USC §205	-	-	-	-	- -	-
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	37	-	15	14	4	4
TOTALS	1,687	107	775	693	80	32
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY						
Claims, 50 USC App. §§9,32,34	86	6	18	42	12	8
LABOR DEPARTMENT						
Walsh-Healey Act enforc., 41 USC §39	9	-	2	7	-	-
Determination as to statutory qualification to contract, 41 USC §39	4	1	1	2	-	-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	-	-	-	-	-	-
TOTALS	13	1	3	9	-	-

NATIONAL LABOR RELATIONS BOARD						
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	111	2	40	65	4	-
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	24	-	14	10	-	-
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	26	-	18	8	-	-
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	2	-	1	1	-	-
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	-	-	-	-	-	-
CA - CB cases, 29 USC §160(b)	23	-	5	16	2	-
CA - CC cases, 29 USC §160(b)	-	-	-	-	-	-
CA - CD cases, 29 USC §§160(b),(k)	-	-	-	-	-	-
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	4	1	2	-	1	-
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii)	1	-	1	-	-	-
CB - CC cases, 29 USC §160(b)	3	-	-	3	-	-
CC - CD cases, 29 USC §160(b),(k)	2	-	1	1	-	-
TOTALS	196	3	82	104	7	-
POST OFFICE DEPARTMENT						
Fraud & lottery, 39 USC §§259,732	26	2	16	4	2	2
"Unlawful" orders, 39 USC §259a	35	15	16	3	-	1
Mailability, 18 USC §§1302,1461	3	3	-	-	-	-
2nd class applications, 39 USC §232	13	4	7	1	1	-
TOTALS	77	24	39	8	3	3

TABLE 4 - OVER-ALL TIME FROM COMMENCEMENT OF PROCEEDING TO FINAL AGENCY DISPOSITION - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Closed in 6 months or less	Over 6 months but not over 12	Over 1 year but not over 2	Over 2 years but not over 3	Over 3 years
SECURITIES AND EXCHANGE COMMISSION						
Stop orders (SA), 15 USC §77h(d)	5	-	5	-	-	-
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	17	-	11	5	1	-
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	-	-	-	-	-	-
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	-	-	-	-	-	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	-	-	-	-	-	-
IAA registration, 15 USC §80b-3	1	-	-	-	-	1
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11	-	-	-	-	-	-
TOTALS	23	-	16	5	1	1
SUBVERSIVE ACTIVITIES CONTROL BOARD						
Communist action, front, infiltrated organizations, 50 USC §§792,792a	3/ 2	-	-	4/ 1	-	4/ 1
TREASURY DEPARTMENT						
COAST GUARD						
Suspension or revocation of marine licenses, 46 USC §§239,239b	76	1	50	19	2	4

DIRECTOR OF PRACTICE Disbarment or suspension, 5 USC §261	-	-	-	-	-	-
IRS ALCOHOL AND TOBACCO TAX DIVISION Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	24	21	-	3	-	-
GRAND TOTALS - 21 AGENCIES	5/ 2,514	226	1,063	981	146	98

1/ FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the totals are available.

2/ Indian probate cases are commenced when the Examiner of Inheritance receives notice from an agency Superintendent that an Indian has died. Data on the period from that time to closing of the case by the Examiner are not available. Very few of these cases are appealed to the agency. The figures in table 4 refer only to the period from receipt of appeal to final agency decision in these few cases which were appealed.

3/ One SACB case was disposed of by final decision in July 1957, reopened shortly thereafter, and again disposed of by final decision in December 1957. In computing over-all time involved for purposes of this table, this case is reported only once, by the time from commencement to the first final decision.

4/ These cases were suspended for the last 8 months of calendar year 1956, during required reconsideration of the Communist Party case under court remand.

5/ The fifth column of Table 3 reports a grand total of 2,843 proceedings disposed of during the year by agency final decision after an examiner's decision. This table presents data on only 2,514 of these proceedings because such data are not available for the 328 Social Security appeals, and because the one SACB matter referred to in Footnote 3 above is counted as one proceeding in this table whereas it was counted as two proceedings for purposes of Table 3.

TABLE 5 - LENGTH OF TIME FROM COMMENCEMENT OF PROCEEDING TO DATE OF ASSIGNMENT TO EXAMINER - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY
FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Assigned to ex'mr. in 1 mo. or less	Over 1 month but not over 3	Over 3 months but not over 6	Over 6 months but not over 12	Over 1 year
AGRICULTURE DEPARTMENT						
AMA marketing order contests, 7 USC §608c(15)(A)	5	4	1	-	-	-
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	-	-	-	-	-	-
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	5	5	-	-	-	-
P&S rate determinations, 7 USC §207	-	-	-	-	-	-
PACA license denial, 7 USC §499d	2	2	-	-	-	-
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9	-	-	-	-	-	-
CEA susp. of trading priv., 7 USC §9	-	-	-	-	-	-
PACA lic. susp. or rev., 7 USC §499h	4	4	-	-	-	-
TOTALS	16	15	1	-	-	-
CIVIL AERONAUTICS BOARD 1/						
Route licensing, 49 USC §481	14	1	6	1	2	4
Foreign permits, 49 USC §482	22	17	1	2	-	2
Adequacy of service, 49 USC §484	-	-	-	-	-	-

Mail rates, 49 USC §486	-	-	-	-	-	-
Carrier relations, 49 USC §§488,489	8	-	3	4	1	-
Agreements, 49 USC §492	6	4	2	-	-	-
Exemptions, 49 USC §496	-	-	-	-	-	-
Commercial rates, 49 USC §642	5	3	1	1	-	-
Econ. enf., 49 USC §§425,495,641,642	1	-	-	1	-	-
Medical review, 49 USC §552	2/ 1					
Safety enforcement, 49 USC §559	2/29					
Safety enf. non-hearing, 49 USC §559	2/25					
TOTALS	111	25	13	9	3	6
CIVIL SERVICE COMMISSION						
Hatch Act violations, 5 USC §118k	1	-	-	1	-	-
FEDERAL COMMUNICATIONS COMMISSION 3/						
Broadcast radio and television, 47 USC §§309,312,316,325,405,406						
Common carrier services, 47 USC §§204,205,214,221,222						
Safety & spec. services, 47 USC §359						
Field eng. & mon., 47 USC §303(m)(2)						
TOTALS	81	81	-	-	-	-
FEDERAL MARITIME BOARD						
Regulatory, 46 USC §§813,822,845, 861,891,1101	6	2	1	2	1	-
Subsidy, 46 USC §1101	3	1	-	1	1	-
Charter, 5 USC App. §1738	1	1	-	-	-	-
TOTALS	10	4	1	3	2	-

(Footnotes at end of table)

TABLE 5 - LENGTH OF TIME FROM COMMENCEMENT OF PROCEEDING TO DATE OF ASSIGNMENT TO EXAMINER - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY
FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Assigned to ex'mr. in 1 mo. or less	Over 1 month but not over 3	Over 3 months but not over 6	Over 6 months but not over 12	Over 1 year
FEDERAL POWER COMMISSION						
NGA §4(e) investig., 15 USC §717c(e)	8	2	3	2	1	-
NGA §§4(e),5(a) new schd. susp. & rate determ., 15 USC §§717c(e),717d(a)	2	-	-	-	-	2
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	-	-	-	-	-	-
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	2	-	-	1	-	1
NGA §7(c) construction certificates, 15 USC §717f(c)	6	-	-	3	3	-
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c)	-	-	-	-	-	-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	-	-	-	-	-	-
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	-	-	-	-	-	-
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	2	-	-	-	1	1
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817	-	-	-	-	-	-
FPA §205 rate determs., 16 USC §824d	1	-	-	1	-	-

FPA §206 investigats., 16 USC §824e	-	-	-	-	-	-
FPA rule making, 16 USC §825h	-	-	-	-	-	-
TOTALS	21	2	3	7	5	4
FEDERAL TRADE COMMISSION						
Cease & desist orders, 15 USC §§13, 21,45(b),52,55(a),68d,69f,1194	53	-	-	-	4/ 1	-
HEALTH, EDUCATION, AND WELFARE DEPT.						
FOOD AND DRUG ADMINISTRATION						
Suspension of new drug applications, 21 USC §355(e)	-	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION						
Appeals from benefits rights determinations, 42 USC §405	2/ 328					
INTERIOR DEPARTMENT						
BUREAU OF LAND MANAGEMENT						
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	13	6	2	1	1	3
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	-	-	-	-	-	-
Placer mining orders, 30 USC §621(b)	-	-	-	-	-	-
Appeals from Range Managers' decisions, 43 USC §315h	13	3	7	2	1	-
FRC enforcement proc., 43 USC §315a	-	-	-	-	-	-
TOTALS	26	9	9	3	2	3
BUREAU OF INDIAN AFFAIRS						
Indian probate, 25 USC §§372,373	2/ 11					

(Footnotes at end of table)

TABLE 5 - LENGTH OF TIME FROM COMMENCEMENT OF PROCEEDING TO DATE OF ASSIGNMENT TO EXAMINER - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY
FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Assigned to ex'mr. in 1 mo. or less	Over 1 month but not over 3	Over 3 months but not over 6	Over 6 months but not over 12	Over 1 year
INTERSTATE COMMERCE COMMISSION						
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	1,331	255	632	356	60	28
Finance and transfer of operating authority, 49 USC §§312,912,1010	88	-	27	23	35	3
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	231	83	86	35	18	9
Bankruptcy Act reorganizations, 11 USC §205	-	-	-	-	-	-
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	37	-	20	9	4	4
TOTALS	1,687	338	765	423	117	44
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY	2/					
Claims, 50 USC App. §§9,32,34	86					
LABOR DEPARTMENT						
Walsh-Healey Act enforc., 41 USC §39	9	9	-	-	-	-
Determinations as to statutory qualification to contract, 41 USC §39	4	4	-	-	-	-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	-	-	-	-	-	-
TOTALS	13	13	-	-	-	-

NATIONAL LABOR RELATIONS BOARD						
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	111	10	80	19	2	-
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	24	4	14	6	-	-
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	26	4	13	9	-	-
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	2	1	1	-	-	-
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	-	-	-	-	-	-
CA - CB cases, 29 USC §160(b)	23	-	17	5	1	-
CA - CC cases, 29 USC §160(b)	-	-	-	-	-	-
CA - CD cases, 29 USC §§160(b),(k)	-	-	-	-	-	-
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	4	-	3	1	-	-
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii)	1	-	1	-	-	-
CB - CC cases, 29 USC §160(b)	3	-	2	1	-	-
CC - CD cases, 29 USC §160(b),(k)	2	-	1	1	-	-
TOTALS	196	19	132	42	3	-
POST OFFICE DEPARTMENT						
Fraud & lottery, 39 USC §§259,732	26	26	-	-	-	-
"Unlawful" orders, 39 USC §259a	35	35	-	-	-	-
Mailability, 18 USC §§1302,1461	3	2	1	-	-	-
2nd class applications, 39 USC §232	13	9	4	-	-	-
TOTALS	77	72	5	-	-	-

(Footnotes at end of table)

TABLE 5 - LENGTH OF TIME FROM COMMENCEMENT OF PROCEEDING TO DATE OF ASSIGNMENT TO EXAMINER - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY
FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Assigned to ex'mr. in 1 mo. or less	Over 1 month but not over 3	Over 3 months but not over 6	Over 6 months but not over 12	Over 1 year
SECURITIES AND EXCHANGE COMMISSION						
Stop orders (SA), 15 USC §77h(d)	5	5	-	-	-	-
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	17	17	-	-	-	-
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a), 78x(b)	-	-	-	-	-	-
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	-	-	-	-	-	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	-	-	-	-	-	-
IAA registration, 15 USC §80b-3	1	1	-	-	-	-
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11	-	-	-	-	-	-
TOTALS	23	23	-	-	-	-
SUBVERSIVE ACTIVITIES CONTROL BOARD						
Communist action, front, infiltrated organizations, 50 USC §§792,792a	2	-	-	-	1	1
TREASURY DEPARTMENT						
COAST GUARD						
Suspension or revocation of marine licenses, 46 USC §§239,239b	2/					
	76					

DIRECTOR OF PRACTICE						
Disbarment or suspension, 5 USC §261	-	-	-	-	-	-
IRS ALCOHOL AND TOBACCO TAX DIVISION						
Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	24	23	1	-	-	-
GRAND TOTAL - 21 AGENCIES	5/ 2,842	624	930	488	134	58

1/ CAB medical review and other safety enforcement proceedings are assigned to examiners at the time they are commenced. Other CAB proceedings are assigned after they are commenced. However, because the data as to the periods of time between commencement and assignment are not available, the CAB figures in this table indicate, in lieu thereof, the somewhat longer periods of time from commencement to opening of the prehearing conference, or if there was no prehearing conference, to opening of the hearing. We are advised that the period from assignment to an examiner to opening of the conference or hearing is generally brief.

2/ All of the proceedings of this type are assigned to examiners at the time they are commenced.

3/ FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the totals are available.

4/ With one exception, all cases were assigned to examiners at the time of the issuance of complaint.

5/ The total number of cases closed during the fiscal year by agency final decision on the merits after an examiner's decision (2,842, as shown in the 1st column) exceeds the total number of cases reported in the other columns by 608. This is because 55 CAB cases, 52 FTC cases, and all Social Security cases (328), Indian probate cases (11), Alien Property cases (86), and Coast Guard cases (76) were assigned to examiners simultaneous with their commencement and therefore are not included in any of the columns indicating periods of time between commencement and assignment.

TABLE 6 - LENGTH OF TIME UNDER ADVISEMENT BY THE AGENCY - PROCEEDINGS CLOSED DURING FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Under advisement 1 month or less	Over 1 month but not over 3	Over 3 months but not over 6	Over 6 months but not over 12	Under advisement over 1 year
AGRICULTURE DEPARTMENT						
AMA marketing order contests, 7 USC §608c(15(A)	5	3	-	1	1	-
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	-	-	-	-	-	-
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	5	5	-	-	-	-
P&S rate determinations, 7 USC §207	-	-	-	-	-	-
PACA license denial, 7 USC §499d	2	2	-	-	-	-
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9	-	-	-	-	-	-
CEA susp. of trading priv., 7 USC §9	-	-	-	-	-	-
PACA lic. susp. or rev., 7 USC §499h	4	4	-	-	-	-
TOTALS	16	14	-	1	1	-
CIVIL AERONAUTICS BOARD						
Route licensing, 49 USC §481	14	6	3	4	1	-
Foreign permits, 49 USC §482	22	15	5	1	1	-
Adequacy of service, 49 USC §484	-	-	-	-	-	-
Mail rates, 49 USC §486	-	-	-	-	-	-

Carrier relations, 49 USC §§488,489	8	1	4	2	1	-
Agreements, 49 USC §492	6	4	2	-	-	-
Exemptions, 49 USC §496	-	-	-	-	-	-
Commercial rates, 49 USC §642	5	2	1	1	1	-
Econ. enf., 49 USC §§425,495,641,642	1	-	-	1	-	-
Medical review, 49 USC §552	1	-	-	-	1	-
Safety enforcement, 49 USC §559	29	12	6	9	2	-
Safety enf. non-hearing, 49 USC §559	25	11	8	6	-	-
TOTALS	111	51	29	24	7	-
CIVIL SERVICE COMMISSION						
Hatch Act violations, 5 USC §118k	1	-	1	-	-	-
FEDERAL COMMUNICATIONS COMMISSION 1/						
Broadcast radio and television, 47 USC §§309,312,316,325,405,406						
Common carrier services, 47 USC §§204,205,214,221,222						
Safety & spec. services, 47 USC §359						
Field eng. & mon., 47 USC §303(m)(2)						
TOTALS	81	14	37	8	5	17
FEDERAL MARITIME BOARD						
Regulatory, 46 USC §§813,822,845, 861,891,1101	6	-	-	4	2	-
Subsidy, 46 USC §1101	3	1	2	-	-	-
Charter, 5 USC App. §1738	1	1	-	-	-	-
TOTALS	10	2	2	4	2	-

(Footnotes at end of table)

TABLE 6 - LENGTH OF TIME UNDER ADVISEMENT BY THE AGENCY - PROCEEDINGS CLOSED DURING FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Under advisement 1 month or less	Over 1 month but not over 3	Over 3 months but not over 6	Over 6 months but not over 12	Under advisement over 1 year
FEDERAL POWER COMMISSION						
NGA §4(e) investig., 15 USC §717c(e)	8	-	1	4	2	1
NGA §§4(e),5(a) new schd. susp.&rate determ., 15 USC §§717c(e),717d(a)	2	-	-	1	-	1
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	-	-	-	-	-	-
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	2	1	-	1	-	-
NGA §7(c) construction certificates, 15 USC §717f(c)	6	1	4	1	-	-
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c)	-	-	-	-	-	-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	-	-	-	-	-	-
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	-	-	-	-	-	-
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	2	-	-	2	-	-
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817	-	-	-	-	-	-

FPA §205 rate determs., 16 USC §824d	1	-	-	-	1	-
FPA §206 investigats., 16 USC §824e	-	-	-	-	-	-
FPA rule making, 16 USC §825h	-	-	-	-	-	-
TOTALS	21	2	5	9	3	2
FEDERAL TRADE COMMISSION						
Cease & desist orders, 15 USC §§13, 21,45(b),52,55(a)68d,69f,1194	53	17	28	7	1	-
HEALTH, EDUCATION, AND WELFARE DEPT.						
FOOD AND DRUG ADMINISTRATION						
Suspension of new drug applications, 21 USC §355(e)	-	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION						
Appeals from benefits rights determinations, 42 USC §405	3/ (328)	(Data not available)				
INTERIOR DEPARTMENT						
BUREAU OF LAND MANAGEMENT						
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	13	-	-	2	5	6
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	-	-	-	-	-	-
Placer mining orders, 30 USC §621(b)	-	-	-	-	-	-
Appeals from Range Managers decisions, 43 USC §315h	13	1	-	4	4	4
FRC enforcement proc., 43 USC §315a	-	-	-	-	-	-
TOTALS	26	1	-	6	9	10
BUREAU OF INDIAN AFFAIRS						
Indian probate, 25 USC §§372,373	11	-	2	1	-	8

TABLE 6 - LENGTH OF TIME UNDER ADVISEMENT BY THE AGENCY - PROCEEDINGS CLOSED DURING FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Under advisement 1 month or less	Over 1 month but not over 3	Over 3 months but not over 6	Over 6 months but not over 12	Under advisement over 1 year
INTERSTATE COMMERCE COMMISSION						
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	1,331	174	399	479	173	106
Finance and transfer of operating authority, 49 USC §§312,912,1010	88	2	18	32	21	15
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	231	5	46	118	48	14
Bankruptcy Act reorganizations, 11 USC §205	-	-	-	-	-	-
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	37	4	15	10	8	-
TOTALS	1,687	185	478	639	250	135
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY						
Claims, 50 USC App. §§9,32,34	86	47	15	5	14	5
LABOR DEPARTMENT						
Walsh-Healey Act enforc., 41 USC §39	9	-	3	3	3	-
Determinations as to statutory qualification to contract, 41 USC §39	4	-	2	2	-	-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	-	-	-	-	-	-
TOTALS	13	-	5	5	3	-

NATIONAL LABOR RELATIONS BOARD						
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	111	-	-	25	77	9
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	24	-	-	2	16	6
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	26	-	-	10	14	2
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	2	-	-	-	1	1
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	-	-	-	-	-	-
CA - CB cases, 29 USC §160(b)	23	-	-	2	15	6
CA - CC cases, 29 USC §160(b)	-	-	-	-	-	-
CA - CD cases, 29 USC §§160(b),(k)	-	-	-	-	-	-
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	4	-	-	3	-	1
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii)	1	-	-	1	-	-
CB - CC cases, 29 USC §160(b)	3	-	-	-	3	-
CC - CD cases, 29 USC §160(b),(k)	2	-	-	1	1	-
TOTALS	196	-	-	44	127	25
POST OFFICE DEPARTMENT						
Fraud & lottery, 39 USC §§259,732	26	11	9	4	1	1
"Unlawful" orders, 39 USC §259a	35	24	11	-	-	-
Mailability, 18 USC §§1302,1461	3	2	1	-	-	-
2nd class applications, 39 USC §232	13	7	6	-	-	-
TOTALS	77	44	27	4	1	1

TABLE 6 - LENGTH OF TIME UNDER ADVISEMENT BY THE AGENCY - PROCEEDINGS CLOSED DURING FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings					
	Total closed by final decision	Under advisement 1 month or less	Over 1 month but not over 3	Over 3 months but not over 6	Over 6 months but not over 12	Under advisement over 1 year
SECURITIES AND EXCHANGE COMMISSION						
Stop orders (SA), 15 USC §77h(d)	5	-	1	2	1	1
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	17	-	4	11	2	-
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	-	-	-	-	-	-
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	-	-	-	-	-	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	-	-	-	-	-	-
IAA registration, 15 USC §80b-3	1	-	-	1	-	-
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37, 80b-11	-	-	-	-	-	-
TOTALS	23	-	5	14	3	1
SUBVERSIVE ACTIVITIES CONTROL BOARD						
Communist action, front, infiltrated organizations, 50 USC §§792,792a	2/ 2	-	-	-	1	1

TREASURY DEPARTMENT						
COAST GUARD						
Suspension or revocation of marine licenses, 46 USC §§239,239b	76	-	-	20	48	8
DIRECTOR OF PRACTICE						
Disbarment or suspension, 5 USC §261	-	-	-	-	-	-
IRS ALCOHOL AND TOBACCO TAX DIVISION						
Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	24	22	1	1	-	-
GRAND TOTALS - 21 AGENCIES	2/ 2,514	399	635	792	475	213

1/ FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the totals are available.

2/ One SACB case was disposed of by final decision in July 1957, reopened shortly thereafter, and again closed by final decision in December. Only the period under advisement in connection with the first final decision is reported in this table. The matter is counted as 2 cases in Table 3. Also, the 328 Social Security cases for which time data are not available are excluded from this table. Therefore the total number of proceedings for which data are included in this table is 2,514 instead of 2,843, as shown in the fifth column of Table 3.

PART B - PROCEEDINGS PENDING BEFORE HEARING EXAMINERS

TABLE 7 - BACKLOG AND VOLUME DATA FOR THE FISCAL YEARS 1957 AND 1958[1/]

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Pending before ex'rs. at beginning of year		New cases asgd. to examiners during the fiscal yr.		Old cases remanded or reasgd. during the fiscal yr.		Disposed of by examiners during the fiscal yr.		Pending before examiners at end of fiscal yr.	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
AGRICULTURE DEPARTMENT										
AMA marketing order contests, 7 USC §608c(15)(A)	2	16	10	8	-	1	3	19	9	6
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	1	3	2	6	-	-	-	4	3	5
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	2	11	24	24	1	1	20	16	7	20
P&S rate determinations, 7 USC §207[2/]		-		1		-		-		1
PACA license denial, 7 USC §499d	-	1	3	3	1	-	4	3	-	1
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9[2/]		3		1		-		1		3
CEA susp. of trading priv., 7 USC §9	1	-	2	2	-	-	2	1	1	1
PACA lic. susp. or rev., 7 USC §499h	[3/] 4	3	4	4	-	-	6	4	2	3
TOTALS	10	37	45	49	2	2	35	48	22	40
CIVIL AERONAUTICS BOARD										
Route licensing, 49 USC §481	27	15	19	50	-	-	31	47	15	18
Foreign permits, 49 USC §482	6	9	18	20	-	-	15	22	9	7
Adequacy of service, 49 USC §484	1	2	1	1	-	-	-	1	2	2

Mail rates, 49 USC §486	2	2	3	-	-	-	4	1	1	1
Carrier relations, 49 USC §§488,489	3	5	18	5	-	1	12	9	9	2
Agreements, 49 USC §492 2/		2		9		1		8		4
Exemptions, 49 USC §496	-	2	1	-	-	-	-	2	1	-
Commercial rates, 49 USC §642	3	5	10	2	-	1	7	6	6	2
Econ. enf., 49 USC §§425,495,641,642	4	5	12	14	-	-	9	9	7	10
Medical review, 49 USC §552	12	19	39	34	-	17	32	39	19	31
Safety enforcement, 49 USC §559 4/	199	67	560	202	1	2	534	194	226	77
Safety enf. non-hearing, 49 USC §559 4/		159		500		2		490		171
TOTALS	257	292	681	837	1	24	644	828	295	325
CIVIL SERVICE COMMISSION										
Hatch Act violations, 5 USC §118k	2	-	-	3	-	-	2	1	-	2
FEDERAL COMMUNICATIONS COMMISSION										
Broadcast radio and television, 47 USC §§309,312,316,325,405,406	82	68	112	120	14	2	140	101	68	89
Common carrier services, 47 USC §§204,205,214,221,222	4	7	10	40	-	-	7	31	7	16
Safety & spec. services, 47 USC §359	15	12	18	14	1	-	22	19	12	7
Field eng. & mon., 47 USC §303(m)(2)	4	-	3	7	-	-	7	6	-	1
TOTALS	105	87	143	181	15	2	176	157	87	113
FEDERAL MARITIME BOARD										
Regulatory, 46 USC §§813,822,845, 861,891,1101	21	15	5	16	-	2	10	15	16	18
Subsidy, 46 USC §1101	6	7	4	4	-	1	3	7	7	5
Charter, 5 USC App. §1738	-	-	10	1	1	-	11	1	-	-
TOTALS	27	22	19	21	1	3	24	23	23	23

(Footnotes at end of table)

PART II - PROCEEDINGS PENDING BEFORE HEARING EXAMINERS

TABLE 7 - BACKLOG AND VOLUME DATA FOR THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Pending before ex'rs. at beginning of year		New cases asgd. to examiners during the fiscal yr.		Old cases remanded or reasgd. during the fiscal yr.		Disposed of by examiners during the fiscal yr.		Pending before examiners at end of fiscal yr.	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
FEDERAL POWER COMMISSION										
NGA §4(e) investig., 15 USC §717c(e)	15	15	11	5	4	1	15	6	15	15
NGA §§4(e),5(a) new schd. susp.&rate determ., 15 USC §§717c(e),717d(a)	4	8	10	-	-	-	4	5	10	3
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	1	3	4	2	-	-	2	2	3	3
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	1	3	8	3	-	-	6	6	3	-
NGA §7(c) construction certificates, 15 USC §717f(c)	13	2	259	19	1	1	268	18	5	4
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c) 2/		-		1		-		-		1
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	1	1	1	-	-	-	-	-	2	1
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	1	2	54	3	-	-	53	4	2	1
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	1	-	-	-	1	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	1	1	2	3	-	1	2	3	1	2
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817 2/		-		1		-		-		1

FPA §205 rate determs., 16 USC §824d 2/		-		-		-		-		-
FPA §206 investigats., 16 USC §824e 2/		-		-		-		-		-
FPA rule making, 16 USC §825h 2/		1		-		-		1		-
TOTALS	37	36	350	37	5	3	351	45	41	31
FEDERAL TRADE COMMISSION										
Cease and desist orders, 15 USC §§13, 21,45(b),52,55(a),68d,69f,1194	181	199	241	361	5	16	231	328	196	248
HEALTH, EDUCATION, AND WELFARE DEPT.										
FOOD AND DRUG ADMINISTRATION										
Suspension of new drug applications, 21 USC §355(e)	-	-	2	-	-	-	2	-	-	-
SOCIAL SECURITY ADMINISTRATION										
Appeals from benefits rights determinations, 42 USC §405	2,501	8,882	12,737	18,534	-	173	6,331	13,234	8,907	14,355
INTERIOR DEPARTMENT										
BUREAU OF LAND MANAGEMENT										
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	87	64	144	156	1	2	125	134	107	88
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	18	19	20	19	-	-	19	17	19	21
Placer mining orders, 30 USC §621(b)	-	7	9	2	-	-	-	9	9	-
Appeals from Range Managers' decisions, 43 USC §315h	120	103	64	67	-	-	76	73	108	97
FRC enforcement proc., 43 USC §315a	-	2	4	7	-	1	3	7	1	3
TOTALS	225	195	241	251	1	3	223	240	244	209
BUREAU OF INDIAN AFFAIRS		16/				5/			16/	
Indian probate, 25 USC §§372,373	2,512	1,592	1,659	1,662	1	(20)	2,320	1,611	1,852	1,643

(Footnotes at end of table)

PART II - PROCEEDINGS PENDING BEFORE HEARING EXAMINERS

TABLE 7 - BACKLOG AND VOLUME DATA FOR THE FISCAL YEARS 1957 AND 1958[1/] (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Pending before ex'rs. at beginning of year		New cases asgd. to examiners during the fiscal yr.		Old cases remanded or reasgd. during the fiscal yr.		Disposed of by examiners during the fiscal yr.		Pending before examiners at end of fiscal yr.	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
INTERSTATE COMMERCE COMMISSION										
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	1,186	926	2,740	2,901	-	-	3,000	2,790	926	1,037
Finance and transfer of operating authority, 49 USC §§312,912,1010	173	127	206	365	-	-	252	369	127	123
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	598	515	811	733	-	-	894	681	515	567
Bankruptcy Act reorganizations, 11 USC §205	1	2	1	2	-	-	-	1	2	3
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	23	47	78	77	-	-	54	67	47	57
TOTALS	1,981	1,617	3,836	4,078	-	-	4,200	3,908	1,617	1,787
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY										
Claims, 50 USC App. §§9,32,34	107	98	93	45	-	4	102	89	98	58
LABOR DEPARTMENT										
Walsh-Healey Act enforc., 41 USC §39	14	9	35	36	-	-	31	36	18	9
Determinations as to statutory qualification to contract, 41 USC §39 2/		2		1		-		3		-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	-	-	1	-	-	-	1	-	-	-
TOTALS	14	11	36	37	-	-	32	39	18	9

NATIONAL LABOR RELATIONS BOARD										
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	24	73	191	207	7	7	179	172	43	115
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	81	12	41	49	-	-	6/ 116	40	6	21
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	7/	15	62	57	-	-	58	52	4	20
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	5	-	3	5	-	-	8	2	-	3
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	3	-	15	-	-	-	18	-	-	-
CA - CB cases, 29 USC §160(b)	7/	21	55	46	2	1	46	40	11	28
CA - CC cases, 29 USC §160(b)2/		1		2		-		2		1
CA - CD cases, 29 USC §§160(b),(k)2/		-		1		-		-		1
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	3	1	4	8	-	-	6	4	1	5
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii)2/		2		-		-		2		-
CB - CC cases, 29 USC §160(b)	-	1	7	4	-	-	6	3	1	2
CC - CD cases, 29 USC §160(b),(k)	-	-	1	1	-	-	1	1	-	-
TOTALS	116	126	379	380	9	8	8/ 438	318	66	196
POST OFFICE DEPARTMENT										
Fraud & lottery, 39 USC §§259,732	41	50	166	129	1	5	9/ 166	10/ 146	42	38
"Unlawful" orders, 39 USC §259a	16	18	54	31	1	1	11/ 51	12/ 48	20	2
Mailability, 18 USC §§1302,1461	-	-	2	9	-	-	2	9	-	-
2nd class applications, 39 USC §232	3	7	9	8	-	-	7	14	5	1
TOTALS	60	75	231	177	2	6	226	217	67	41

(Footnotes at end of table)

PART II - PROCEEDINGS PENDING BEFORE HEARING EXAMINERS

TABLE 7 - BACKLOG AND VOLUME DATA FOR THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Pending before ex'rs. at beginning of year		New cases asgd. to examiners during the fiscal yr.		Old cases remanded or reasgd. during the fiscal yr.		Disposed of by examiners during the fiscal yr.		Pending before examiners at end of fiscal yr.	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
SECURITY AND EXCHANGE COMMISSION										
Stop orders (SA), 15 USC §77h(d)	1	5	20	30	-	-	19	22	2	13
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	9	22	53	57	-	-	56	57	6	22
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	-	5	7	3	-	-	1	6	6	2
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	1	-	12	11	-	-	10	11	3	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	-	1	2	8	-	-	2	5	-	4
IAA registration, 15 USC §80b-3	1	2	2	3	-	-	2	3	1	2
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11 2/		2		1		-		2		1
TOTALS	12	37	96	113	-	-	13/ 90	14/ 106	18	44
SUBVERSIVE ACTIVITIES CONTROL BOARD										
Communist action, front, infiltrated organizations, 50 USC §§792,792a 15/	4	7	5	1	-	1	3	6	6	3

TREASURY DEPARTMENT										
COAST GUARD										
Suspension or revocation of marine licenses, 46 USC §§239,239b	122	108	1,353	1,516	3	1	1,370	1,494	108	131
DIRECTOR OF PRACTICE										
Disbarment or suspension, 5 USC §261	2	-	2	-	1	-	4	-	1	-
IRS ALCOHOL AND TOBACCO TAX DIVISION										
Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	12	17	49	36	1	1	45	44	17	10
GRAND TOTALS - 21 AGENCIES	8,287	16/ 13,438	22,198	28,319	47	247	16,849	22,736	16/ 13,683	19,268

1/ Table 7 corresponds to Table I of the 1957 Annual Report of this Office. The figures in the columns marked "1957" are taken from last year's Table I, and the columns marked "1958" report corresponding new data for the fiscal year 1958.
2/ Type of proceeding added to those listed last year.
3/ Substituted for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 report.
4/ All CAB safety enforcement proceedings, hearing and non-hearing, were combined in a single set of figures in the 1957 report.
5/ Disregarded in over-all computation because these cases are also reported as new cases pending at the beginning of the year.
6/ Includes 76 cases "disposed of" by consolidation.
7/ The figure given under "New cases" includes cases pending at the beginning of the year. It is not known how many of these cases were assigned to examiners before July 1, 1956.
8/ Includes 81 cases "disposed of" by consolidation.
9/ Includes 20 default cases and 125 cases disposed of by agreements to discontinue.
10/ Includes 15 default cases and 88 agreements to discontinue.
11/ Includes 17 default cases and 7 agreements to discontinue.
12/ Includes 6 default cases and 3 agreements to discontinue.
13/ In 66 of these cases the examiner's decision was waived.
14/ In 88 of these cases the examiner's decision was waived.
15/ Includes cases in which members of the SACB presided.

(Footnotes continued on next page)

Footnotes to Table 7 (Cont.)

16/ It was expected that the number of cases pending before examiners at the end of the fiscal year 1957, as shown in last year's report and repeated in the last column of this table under the subheading "1957" would be the same as the number reported pending at the beginning of fiscal 1958 (first column, under the subheading "1958"). However, there are discrepancies in many instances. The greatest difference in reported figures was in Indian probate cases before the Interior Department. There, 260 "pony" claims which had been dormant for some time were counted as pending cases in 1957, but were dropped from the report in 1958. Other differences are due to changes on the part of the reporting agencies in their respective decisions as to what matters should be counted as "proceedings" within our definition of the term (Agriculture Department), or to the technique of counting backward from the time the report was rendered to the beginning of the fiscal year (NLRB). In addition, different totals are attributable to division and consolidation of cases (Interior) or removal from pending docket for return to processing.

TABLE 8 - LENGTH OF TIME PROCEEDINGS HAD BEEN PENDING BEFORE EXAMINERS - PROCEEDINGS PENDING BEFORE EXAMINERS AT THE END OF THE FISCAL YEARS 1957 AND 1958 1/

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings									
	Total pending before ex'mrs. at end of year		Before examiners 3 months or less		Over 3 months but not over 6		Over 6 months but not over 12		Before examiners over 1 year	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
AGRICULTURE DEPARTMENT										
AMA marketing order contests, 7 USC §608c(15)(A)	9	6	5	-	3	1	-	5	1	-
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	3	5	1	1	-	1	1	1	-	2
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	7	20	4	8	2	5	1	5	-	2
P&S rate determinations, 7 USC §207 2/		1		1		-		-		-
PACA license denial, 7 USC §499d	-	1	-	1	-	-	-	-	-	-
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9 2/		3		1		-		-		2
CEA Susp. of trading priv., 7 USC §9	1	1	-	1	-	-	-	-	1	-
PACA lic. susp. or rev., 7 USC §499h 3/	2	3	1	1	1	1	-	1	-	-
TOTALS	22	40	11	14	6	8	2	12	3	6
CIVIL AERONAUTICS BOARD										
Route licensing, 49 USC §481	15	18	-	5	3	6	5	2	7	5
Foreign permits, 49 USC §482	9	7	6	4	1	-	-	1	2	2
Adequacy of service, 49 USC §484	2	2	-	-	1	1	-	-	1	1

Mail rates, 49 USC §486	1	1	-	-	-	-	-	-	1	1
Carrier relations, 49 USC §§488,489	9	2	1	2	2	-	6	-	-	-
Agreements, 49 USC §492 2/		4		-		1		-		3
Exemptions, 49 USC §496	1	-	-	-	1	-	-	-	-	-
Commercial rates, 49 USC §642	6	2	2	-	2	-	2	-	-	2
Econ. enf., 49 USC §§425,495,641,642	7	10	1	3	4	2	1	3	1	2
Medical review, 49 USC §552	19	31	4/ 5	9	4/ 6	2	4/ 7	7	4/ 1	13
Safety enforcement, 49 USC §559	4/ 226	77	121	30	49	24	48	21	8	2
Safety enf. non-hearing, 49 USC §559		171		99		48		23		1
TOTALS	295	325	136	152	69	84	69	57	21	32
CIVIL SERVICE COMMISSION										
Hatch Act violations, 5 USC §118k	-	2	-	1	-	-	-	1	-	-
FEDERAL COMMUNICATIONS COMMISSION										
Broadcast radio and television, 47 USC §§309,312,316,325,405,406	68	89	34	38	13	14	9	26	12	11
Common carrier services, 47 USC §§204,205,214,221,222	12	7	4	2	4	1	1	-	3	4
Safety & spec. services, 47 USC §359	7	16	3	15	1	1	2	-	1	-
Field eng. & mon., 47 USC §303(m)(2)	-	1	-	-	-	-	-	1	-	-
TOTALS	87	113	41	55	18	16	12	27	16	15
FEDERAL MARITIME BOARD										
Regulatory, 46 USC §§813,822,845, 861,891,1101	16	18	1	5	2	-	-	6	13	7
Subsidy, 46 USC §1101	7	5	2	3	1	-	1	1	3	1
Charter, 5 USC App. §1738	-	-	-	-	-	-	-	-	-	-
TOTALS	23	23	3	8	3	-	1	7	16	8

(Footnotes at end of table)

TABLE 8 - LENGTH OF TIME PROCEEDINGS HAD BEEN PENDING BEFORE EXAMINERS - PROCEEDINGS PENDING BEFORE EXAMINERS AT THE END OF THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings									
	Total pending before ex'mrs. at end of year		Before examiners 3 months or less		Over 3 months but not over 6		Over 6 months but not over 12		Before examiners over 1 year	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
FEDERAL POWER COMMISSION										
NGA §4(e) investig., 15 USC §717c(e)	15	15	7	6	1	-	1	-	6	9
NGA §§4(e),5(a) new schd. susp.&rate determ., 15 USC §§717c(e),717d(a)	10	3	4	-	1	-	4	1	1	2
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	3	3	1	1	-	1	-	-	2	1
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	3	-	3	-	-	-	-	-	-	-
NGA §7(c) construction certificates, 15 USC §717f(c)	5	4	1	4	-	-	-	-	4	-
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c) 2/		1		-		-		1		-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	2	1	1	-	-	-	-	-	1	1
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	2	1	1	1	-	-	1	-	-	-
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	1	2	-	2	-	-	-	-	1	-
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817 2/		1		-		-		1		-
FPA §205 rate determs., 16 USC §824d 2/		-		-		-		-		-

FPA §206 investigats., 16 USC §824e 2/		-		-		-		-		-
FPA rule making, 16 USC §825h 2/		-		-		-		-		-
TOTALS	41	31	18	14	2	1	6	3	15	13
FEDERAL TRADE COMMISSION										
Cease & desist orders, 15 USC §§13, 21,45(b),52,55(a),68d,69f,1194	196	248	56	81	28	55	46	51	66	61
HEALTH, EDUCATION, AND WELFARE DEPT.										
FOOD AND DRUG ADMINISTRATION										
Suspension of new drug applications, 21 USC §355(e)	-	-	-	-	-	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION										
Appeals from benefits rights determinations, 42 USC §405	(8,907) 11/	(14,355)	(Data not available) 5/							
INTERIOR DEPARTMENT										
BUREAU OF LAND MANAGEMENT										
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	107	88	27	49	30	25	42	7	8	7
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	19	21	5	8	2	3	12	6	-	4
Placer mining orders, 30 USC §621(b)	9	-	1	-	8	-	-	-	-	-
Appeals from Range Managers' decisions, 43 USC §315h	108	97	34	33	13	5	5	10	56	49
FRC enforcement proc., 43 USC §315a	1	3	1	2	-	1	-	-	-	-
TOTALS	244	209	68	92	53	34	59	23	64	60
BUREAU OF INDIAN AFFAIRS										
Indian probate, 25 USC §§372,373	(1,852) 6/	(1,643) 11/	(Data not available)							

(Footnotes at end of table)

TABLE 8 - LENGTH OF TIME PROCEEDINGS HAD BEEN PENDING BEFORE EXAMINERS - PROCEEDINGS PENDING BEFORE EXAMINERS AT THE END OF THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings									
	Total pending before ex'mrs. at end of year		Before examiners 3 months or less		Over 3 months but not over 6		Over 6 months but not over 12		Before examiners over 1 year	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
INTERSTATE COMMERCE COMMISSION										
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	926	1,037	487	746	260	147	179	123	-	21
Finance and transfer of operating authority, 49 USC §§312,912,1010	127	123	32	11	91	37	4	56	-	19
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	515	567	207	414	128	93	180	46	-	14
Bankruptcy Act reorganizations, 11 USC §205	2	3	1	-	-	-	-	2	1	1
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	47	57	20	12	18	37	9	7	-	1
TOTALS	1,617	1,787	747	1,183	497	314	372	234	1	56
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY										
Claims, 50 USC App. §§9,32,34 7/	98	58	16	11	16	6	37	17	29	24
LABOR DEPARTMENT										
Walsh-Healey Act enforc., 41 USC §39	18	9	8	6	4	1	4	-	2	2
Determinations as to statutory qualification to contract, 41 USC §39 2/		-		-		-		-		-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	-	-	-	-	-	-	-	-	-	-
TOTALS	18	9	8	6	4	1	4	-	2	2

NATIONAL LABOR RELATIONS BOARD										
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	43	115	34	98	7	12	1	4	1	1
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	6	21	6	19	-	2	-	-	-	-
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	4	20	4	19	-	1	-	-	-	-
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	-	3	-	2	-	1	-	-	-	-
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	-	-	-	-	-	-	-	-	-	-
CA - CB cases, 29 USC §160(b)	11	28	9	22	1	2	1	3	-	1
CA - CC cases, 29 USC §160(b)		1		1		-		-		-
CA - CD cases, 29 USC §§160(b),(k) 2/		1		1		-		-		-
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	1	5	1	4	-	1	-	-	-	-
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii) 2/		-		-		-		-		-
CB - CC cases, 29 USC §160(b)	1	2	1	2	-	-	-	-	-	-
CC - CD cases, 29 USC §160(b),(k) 2/		-		-		-		-		-
TOTALS	66	196	55	168	8	19	2	7	1	2
POST OFFICE DEPARTMENT										
Fraud & lottery, 39 USC §§259,732	42	38	25	28	7	3	6	3	4	4
"Unlawful" orders, 39 USC §259a	20	2	14	1	3	1	-	-	3	-
Mailability, 18 USC §§1302,1461	-	-	-	-	-	-	-	-	-	-
2nd class applications, 39 USC §232	5	1	2	1	-	-	2	-	1	-
TOTALS	67	41	41	30	10	4	8	3	8	4

(Footnotes at end of table)

TABLE 8 - LENGTH OF TIME PROCEEDINGS HAD BEEN PENDING BEFORE EXAMINERS - PROCEEDINGS PENDING BEFORE EXAMINERS AT THE END OF THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings									
	Total pending before ex'mrs. at end of year		Before examiners 3 months or less		Over 3 months but not over 6		Over 6 months but not over 12		Before examiners over 1 year	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
SECURITIES AND EXCHANGE COMMISSION										
Stop orders (SA), 15 USC §77h(d)	2	13	2	9	-	1	-	2	-	1
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	6	22	5	22	1	-	-	-	-	-
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	6	2	4	-	2	-	-	-	-	2
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	3	-	2	-	-	-	-	-	1	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	-	4	-	2	-	1	-	1	-	-
IAA registration, 15 USC §80b-3	1	2	-	1	-	1	-	-	1	-
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11 2/		1		-		-		-		1
TOTALS	18	44	13	34	3	3	-	3	2	4
SUBVERSIVE ACTIVITIES CONTROL BOARD										
Communist action, front, infiltrated organizations, 50 USC §§792,792a	6	3	4	1	1	-	-	-	1	9/ 2
TREASURY DEPARTMENT										
COAST GUARD										
Suspension or revocation of marine licenses, 46 USC §§239,239b	108	131	36	49	17	17	15	21	40	44

DIRECTOR OF PRACTICE										
Disbarment or suspension, 5 USC §261	1	-	-	-	-	-	-	-	1	-
IRS ALCOHOL AND TOBACCO TAX DIVISION										
Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	17	10	9	3	3	4	3	1	2	10/ 2
GRAND TOTALS - 21 AGENCIES 11/	11/ 2,924	11/ 3,270	1,262	1,902	738	566	636	467	288	335

1/ Table 8 corresponds to Table III in the 1957 Annual Report of this Office. The figures in the columns marked "1957" are taken from last year's Table III, and the columns marked "1958" report corresponding new data for the fiscal year 1958.

2/ Type of proceeding added to those listed last year.

3/ Substituted for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 report.

4/ Except for medical review and other safety enforcement proceedings, CAB figures for 1958 reflect the time from prehearing conference, or if there was no prehearing conference, the time from opening of the hearing, instead of the longer period of time from assignment to an examiner. This is because the dates when proceedings were assigned to examiners are not available except in safety enforcement proceedings, where assignment to an examiner is made at the time the proceeding is commenced. We are advised that the period from assignment to an examiner to prehearing conference or hearing is generally brief. In the 1957 figures, non-hearing safety enforcement proceedings are included in the figures for hearing cases. Hearing and non-hearing cases are separated in the 1958 figures.

5/ Of the 8,907 Social Security cases pending before examiners on June 30, 1957, 2,558 had been before examiners more than 60 days after receipt of the claims files. The SSA estimates that these cases had been assigned to examiners an average of 5 or 6 months prior to the end of the year. At the end of fiscal year 1958, 5,060 of the 14,355 cases assigned to examiners had been in examiners' hands more than 60 days after receipt of the claims files. The SSA estimates that these cases averaged six or seven months after assignment to an examiner.

(Footnotes continued on next page)

Footnotes for Table 8 - Continued.

6/ Includes 260 "pony" claims which are considered dormant and which were dropped from the figures for fiscal 1958.

7/ For the 1957 report the Office of Alien Property reported two types of proceedings, "Claims on merits" and "Motions to dismiss." Data are consolidated in this report.

8/ Ordinarily NLRB cases are not assigned to specific examiners until within a week before hearing. Figures appearing in the column headed "Pending before examiners 3 months or less - 1958" include a large number of cases which were awaiting assignment to examiners but on June 30, 1958 were not yet assigned, pending completion of examiners' itineraries.

9/ Both of these SACB cases were necessarily suspended for the last 8 months of calendar year 1956 and for the entire calendar year 1958 during required reconsideration of the Communist Party case under successive court remands.

10/ Hearings postponed pending disposition of related criminal cases.

11/ The last column of Table 7 reports 13,683 proceedings pending before examiners at the end of fiscal 1957 and 19,268 at the end of 1958. Table 8 contains data on only 2,924 proceedings pending at the end of 1957 and 3,270 at the end of 1958. The differences result from the unavailability of such data for Social Security and Indian probate cases.

TABLE 9 - MANNER OF DISPOSITION BY EXAMINERS - PROCEEDINGS DISPOSED OF BY EXAMINERS DURING THE FISCAL YEARS 1957 AND 1958 1/

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Total disposed of by ex'mrs. during the year		Decision on merits after evidentiary hearing		Dismiss. or withdrawal without decision on merits		Certified to agency upon waiver of ex'mr. decision		Default, settlement, compromise or consent		Other examiner disposition	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
AGRICULTURE DEPARTMENT												
AMA marketing order contests, 7 USC §608c(15)(A)	3	19	1	9	2	10	-	-	-	-	-	-
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	-	4	-	2	-	1	-	1	-	-	-	-
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	20	16	4	3	4	2	4	9	-	2	8	-
P&S rate determinations, 7 USC §207 2/		-		-		-		-		-		-
PACA license denial, 7 USC §499d	4	3	3	3	-	-	-	-	-	-	1	-
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9 2/		1		1		-		-		-		-
CEA susp. of trading priv., 7 USC §9	2	1	1	-	1	-	-	-	-	1	-	-
PACA lic. susp. or rev., 7 USC §499h	3/ 6	4	4	2	-	1	-	-	-	1	2	-
TOTALS	35	48	13	20	7	14	4	10	-	4	11	-
CIVIL AERONAUTICS BOARD												
Route licensing, 49 USC §481	31	47	31	18	-	12	-	-	-	2	-	5/ 15
Foreign permits, 49 USC §482	15	22	15	20	-	2	-	-	-	-	-	-
Adequacy of service, 49 USC §484	-	1	-	1	-	-	-	-	-	-	-	-
Mail rates, 49 USC §486	4	1	2	1	-	-	-	-	-	-	2	5/ -

Carrier relations, 49 USC §§488,489	12	9	11	8	1	-	-	-	-	-	-	1
Agreements, 49 USC §492 2/		8		7		-		-		1		-
Exemptions, 49 USC §496	-	2	-	1	-	-	-	-	-	-	-	6/ 1
Commercial rates, 49 USC §642	7	6	6	5	1	-	-	1	-	-	-	-
Econ. enf., 49 USC §§425,495,641,642	9	9	5	6	4	-	-	-	-	3	-	-
Medical review, 49 USC §552	32	39	28	33	3	-	1	-	-	5	-	6/ 1
Safety enforcement, 49 USC §559 4/	534	194	514	177	19	17	1	-	-	-	-	-
Safety enf. non-hearing, 49 USC §559	4/	490		469		21		-		-		-
TOTALS	644	828	612	746	28	52	2	1	-	11	2	18
CIVIL SERVICE COMMISSION												
Hatch Act violations, 5 USC §118k	2	1	1	1	-	-	-	-	-	-	1	-
FEDERAL COMMUNICATIONS COMMISSION												
Broadcast radio and television, 47 USC §§309,312,316,325,405,406	140	101	85	78	34	23	11	-	-	-	10	-
Common carrier services, 47 USC §§204,205,214,221,222	7	31	16	7	5	11	-	1	-	-	1	-
Safety & spec. services, 47 USC §359	22	19	4	5	1	26	-	-	-	-	2	-
Field eng. & mon., 47 USC §303(m)(2)	7	6	5	5	-	1	-	-	-	-	2	-
TOTALS	176	157	110	95	40	61	11	1	-	-	15	-
FEDERAL MARITIME BOARD												
Regulatory, 46 USC §§813,822,845, 861,891,1101	10	15	9	8	1	2	-	-	-	5	-	-
Subsidy, 46 USC §1101	3	7	3	5	-	2	-	-	-	-	-	-
Charter, 5 USC App. §1738	11	1	10	1	1	-	-	-	-	-	-	-
TOTALS	24	23	22	14	2	4	-	-	-	5	-	-

(Footnotes at end of table)

TABLE 9 - MANNER OF DISPOSITION BY EXAMINERS - PROCEEDINGS DISPOSED OF BY EXAMINERS DURING THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Total disposed of by ex'mrs. during the year		Decision on merits after evidentiary hearing		Dismiss. or withdrawal without decision on merits		Certified to agency upon waiver of ex'mr. decision		Default, settlement, compromise or consent		Other examiner disposition	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
FEDERAL POWER COMMISSION												
NGA §4(e) investig., 15 USC §717c(e)	15	6	14	5	-	-	-	-	1	-	-	7/ 1
NGA §§4(e),5(a) new schd. susp.&rate determ., 15 USC §§717c(e),717d(a)	4	5	3	5	-	-	-	-	1	-	-	-
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	2	2	2	-	-	-	-	-	-	-	-	7/ 2
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	6	6	3	5	-	-	3	-	-	-	-	7/ 1
NGA §7(c) construction certificates, 15 USC §717f(c)	268	18	9	15	-	-	259	-	-	-	-	3
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c) 2/		-		-		-		-		-		-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	-	-	-	-	-	-	-	-	-	-	-	-
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	53	4	1	4	-	-	52	-	-	-	-	-
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	1	-	-	-	-	-	1	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	2	3	-	2	-	-	2	-	-	-	-	1
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817 2/		-		-		-		-		-		-
FPA §205 rate determs., 16 USC §824d 2/		-		-		-		-		-		-

FPA §206 investigats., 16 USC §824e 2/		-		-		-		-		-		-
FPA rule making, 16 USC §825h 2/		1		1		-		-		-		-
TOTALS	351	45	32	37	-	-	317	-	2	-	-	8
FEDERAL TRADE COMMISSION												
Cease & desist orders, 15 USC §§13, 21,45(b),52,55(a),68d,69f,1194	231	328	72	59	4	13	-	-	155	256	-	-
HEALTH, EDUCATION, AND WELFARE DEPT.												
FOOD AND DRUG ADMINISTRATION												
Suspension of new drug applications, 21 USC §355(e)	2	-	-	-	-	-	2	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION												
Appeals from benefits rights determinations, 42 USC §405	6,331	13,234	4,202	8,272	2,129	4,962	-	-	-	-	-	-
INTERIOR DEPARTMENT												
BUREAU OF LAND MANAGEMENT												
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	125	134	83	81	42	14	-	-	-	38	-	8/ 1
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	19	17	7	5	12	11	-	-	-	1	-	-
Placer mining orders, 30 USC §621(b)	-	9	-	6	-	-	-	-	-	3	-	-
Appeals from Range Managers' decisions, 43 USC §315h	76	73	28	19	48	54	-	-	-	-	-	-
FRC enforcement proc., 43 USC §315a	3	7	3	5	-	2	-	-	-	-	-	-
TOTALS	223	240	121	116	102	81	-	-	-	42	-	1
BUREAU OF INDIAN AFFAIRS												
Indian probate, 25 USC §§372,373	2,320	1,611	2,319	1,611	-	-	-	-	-	-	9/ 1	-

(Footnotes at end of table)

TABLE 9 - MANNER OF DISPOSITION BY EXAMINERS - PROCEEDINGS DISPOSED OF BY EXAMINERS DURING THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Total disposed of by ex'mrs. during the year		Decision on merits after evidentiary hearing		Dismiss. or withdrawal without decision on merits		Certified to agency upon waiver of ex'mr. decision		Default settlement, compromise or consent		Other examiner disposition	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
INTERSTATE COMMERCE COMMISSION												
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	3000	2790	2793	2790	207	-	-	-	-	-	-	-
Finance and transfer of operating authority, 49 USC §§312,912,1010	252	369	252	168	-	-	-	201	-	-	-	-
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	894	681	824	257	70	-	-	424	-	-	-	-
Bankruptcy Act reorganizations, 11 USC §205	-	1		1		-		-		-		-
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	54	67	41	67	13	-	-	-	-	-	-	-
TOTALS	4200	3908	3910	3283	290	-	-	625	-	-	-	-
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY												
Claims, 50 USC App. §§9,32,34	102	89	94	86	-	1	8	-	-	2	-	-
LABOR DEPARTMENT												
Walsh-Healey Act enforc., 41 USC §39	31	36	21	26	10	-	-	-	-	10	-	-
Determinations as to statutory qualification to contract, 41 USC §39 2/		3		3		-		-		-		-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	1	-	1	-	-	-	-	-	-	-	-	-
TOTALS	32	39	22	29	10	-	-	-	-	10	-	-

NATIONAL LABOR RELATIONS BOARD												
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	179	172	148	157	29	2	-	-	-	-	10/ 2	10/ 13
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	116	40	33	36	7	1	-	-	-	-	10/ 76	10/ 3
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	58	52	41	50	16	-	-	-	-	-	1	10/ 2
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	8	2	8	2	-	-	-	-	-	-	-	-
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	18	-	18	-	-	-	-	-	-	-	10/ -	10/ -
CA - CB cases, 29 USC §160(b)	46	40	31	33	14	-	-	-	-	-	1	7
CA - CC cases, 29 USC §160(b) 2/		2		1		-		-		-		10/ 1
CA - CD cases, 29 USC §§160(b),(k) 2/		-		-		-		-		-		-
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	6	4	5	3	1	-	-	-	-	-	-	10/ 1
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii) 2/		2		2		-		-		-		-
CB - CC cases, 29 USC §160(b)	6	3	3	3	2	-	-	-	-	-	10/ 1	-
CC - CD cases, 29 USC §160(b),(k)	1	1	1	1	-	-	-	-	-	-	-	10/ -
TOTALS	438	318	288	288	69	3	-	-	-	-	81	27
POST OFFICE DEPARTMENT												
Fraud & lottery, 39 USC §§259,732	166	146	16	37	5	6	-	-	145	103	-	-
"Unlawful" orders, 39 USC §259a	51	48	25	36	2	3	-	-	24	9	-	-
Mailability, 18 USC §§1302,1461	2	9	2	3	-	5	-	-	-	1	-	-
2nd class applications, 39 USC §232	7	14	5	13	2	1	-	-	-	-	-	-
TOTALS	226	217	48	89	9	15	-	-	169	113	-	-

(Footnotes at end of table)

TABLE 9 - MANNER OF DISPOSITION BY EXAMINERS - PROCEEDINGS DISPOSED OF BY EXAMINERS DURING THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Total disposed of by ex'mrs. during the year		Decision on merits after evidentiary hearing		Dismiss or withdrawal without decision on merits		Certified to agency upon waiver of ex'mr. decision		Default, settlement, compromise or consent		Other ex'mr. disposition	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
SECURITIES AND EXCHANGE COMMISSION												
Stop orders (SA), 15 USC §77h(d)	19	22	10	4	-	-	9	18	-	-	-	-
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	56	57	13	12	-	-	43	45	-	-	-	-
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	1	6	-	-	-	-	1	6	-	-	-	-
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	10	11	-	-	-	-	10	11	-	-	-	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	2	5	1	-	-	-	1	5	-	-	-	-
IAA registration, 15 USC §80b-3	2	3	-	1	-	-	2	2	-	-	-	-
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11 2/		2		1		-		1		-		-
TOTALS	90	106	24	18	-	-	66	88	-	-	-	-
SUBVERSIVE ACTIVITIES CONTROL BOARD												
Communist action, front, infiltrated organizations, 50 USC §§792,792a	3	6	3	4	-	2	-	-	-	-	-	-

TREASURY DEPARTMENT												
COAST GUARD												
Suspension or revocation of marine licenses, 46 USC §§239,239b	1370	1494	1354	1479	13	7	-	-	1	1	2	12/ 7
DIRECTOR OF PRACTICE												
Disbarment or suspension, 5 USC §261	4	-	2	-	2	-	-	-	-	-	-	-
IRS ALCOHOL AND TOBACCO TAX DIVISION												
Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	45	44	34	31	7	3	-	-	4	10	-	-
GRAND TOTAL - 21 AGENCIES 1957	16,849	13,283			2,712		410		331		113	
1958		22,736		16,278		5,218		725		454		61

1/ Table 9 corresponds to Table II in the 1957 report, and figures under the subheading, "1957," are taken from that table. The first column, under "1957," presents the totals of the figures reported in all columns of last year's Table II. The second column is the same as the first column of Table II except that proceedings identifiable as uncontested proceedings have been removed to the column entitled "Default, settlement, compromise or consent," a new column which did not appear in Table II. The third column, combining the next 4 columns of Table II, reports all dismissals and withdrawals, before and after hearing. The fourth column presents a combination of the figures reported last year under "Removal from examiner for Agency Action," plus those cases reported in last year's table in the column entitled "Other" which by footnote were shown to have been disposed of by waiver of examiner's decision. The 5th column has no counterpart in last year's Table II. The figures appearing therein are the cases reported last year by footnote as uncontested cases or as having been disposed of by default, settlement, compromise or consent. In some instances cases so disposed of may have been reported by the agencies as "other" disposition without any footnote, and therefore are reported again in the last column rather than in the fifth column of this table. The last column contains the figures from the last column of Table II less those cases removed to the fourth and fifth columns as described above because of footnotes to last year's Table II. Corresponding new data for fiscal 1958 are reported in all columns under the heading, "1958."

2/ Type of proceeding added to those listed last year. (Footnotes continued on next page)

Footnotes for Table 9 Cont'd.

3/ Substituted for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 report.

4/ All CAB safety enforcement proceedings, hearing and non-hearing, were combined in a single set of figures in the 1957 report.

5/ Mooted.

6/ Transferred to another type of proceeding (and therefore possibly reported twice).

7/ Continued by Commission order pending settlement.

8/ Withdrawn from examiner prior to hearing for agency ruling on a matter not within the examiner's jurisdiction.

9/ Escheat indicated. Certified to Solicitor under rules.

10/ Disposed of by consolidation.

11/ Change of venue (possibly reported twice).

12/ 5 change of venue (possibly reported twice) and 2 deaths.

TABLE 10 - TOTAL TIME FROM ASSIGNMENT TO EXAMINER TO DECISION BY EXAMINER IN PROCEEDINGS IN WHICH EXAMINERS ISSUED DECISIONS ON THE MERITS AFTER HEARING 1/

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings											
	Total examiner decisions on merits		Decision rendered in 3 mos. or less		Over 3 months but not over 6		Over 6 months but not over 12		Over 1 year but not over 2		Over 2 years	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
AGRICULTURE DEPARTMENT												
AMA marketing order contests, 7 USC §608c(15)(A)	1	9	1	-	-	1	-	6	-	2	-	-
CEA and P&S cease and desist orders, 7 USC §§13a,193,211	-	2	-	-	-	1	-	-	-	1	-	-
P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d	4	3	-	1	-	1	4	1	-	-	-	-
P&S rate determinations, 7 USC §207 2/		-		-		-		-		-		-
PACA license denial, 7 USC §499d	3	3	-	2	3	-	-	-	-	1	-	-
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g,9 2/		1		-		-		-		-		1
CEA susp. of trading priv., 7 USC §9	1	-	-	-	-	-	1	-	-	-	-	-
PACA lic. susp. or rev., 7 USC §499h 3/	4	2	-	2	-	-	4	-	-	-	-	-
TOTALS	13	20	1	5	3	3	9	7	-	4	-	1
CIVIL AERONAUTICS BOARD 4/												
Route licensing, 49 USC §481	31	18	9	5	4	-	8	3	10	9		1
Foreign permits, 49 USC §482	15	20	9	19	3	1	3	-	-	-	-	-
Adequacy of service, 49 USC §484	-	1	-	-	-	-	-	-	-	1	-	-
Mail rates, 49 USC §486	2	1	-	-	-	-	1	-	1	1		-
Carrier relations, 49 USC §§488,489	11	8	10	3	-	1	1	1	-	3	-	-

Agreements, 49 USC §492 2/		7		6		1		-		-		-
Exemptions, 49 USC §496	-	1	-	-	-	-	-	-	-	1	-	-
Commercial rates, 49 USC §642	6	5	1	-	2	3	3	2	-	-	-	-
Econ. enf., 49 USC §§425,495,641,642	5	6	2	2	1	3	2	1	-	-	-	-
Medical review, 49 USC §552	28	33	12	8	10	4	5	10	1	7		4
Safety enforcement, 49 USC §559	4/ 112	177	59	72	26	53	25	32	2	18		2
Safety enf. non-hearing, 49 USC §559		469		117		203		119		30		-
TOTALS	210	746	102	232	46	269	48	168	14	70		7
CIVIL SERVICE COMMISSION												
Hatch Act violations, 5 USC §118k	1	1	-	-	1	1	-	-	-	-	-	-
FEDERAL COMMUNICATIONS COMMISSION												
Broadcast radio and television, 47 USC §§309,312,316,325,405,406	85	78	19	20	23	23	24	26	19	5		4
Common carrier services, 47 USC §§204,205,214,221,222	16	7	8	2	4	1	4	1	-	2	-	1
Safety & spec. services, 47 USC §359	4	5	1	2	2	2	1	1	-	-	-	-
Field eng. & mon., 47 USC §303(m)(2)	5	5	-	5	4	-	1	-	-	-	-	-
TOTALS	110	95	28	29	33	26	30	28	19	7		5
FEDERAL MARITIME BOARD												
Regulatory, 46 USC §§813,822,845, 861,891,1101	5/ 9	8	-	-	2	2	4	2	3	3		1
Subsidy, 46 USC §1101	3	5	-	-	-	1	1	1	2	2		1
Charter, 5 USC App. §1738	10	1	10	1	-	-	-	-	-	-	-	-
TOTALS	22	14	10	1	2	3	5	3	5	5		2

(Footnotes at end of table)

TABLE 10 - TOTAL TIME FROM ASSIGNMENT TO EXAMINER TO DECISION BY EXAMINER IN PROCEEDINGS IN WHICH EXAMINERS ISSUED DECISIONS ON THE MERITS AFTER HEARING 1/

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings											
	Total examiner decisions on merits		Decision rendered in 3 mos. or less		Over 3 months but not over 6		Over 6 months but not over 12		Over 1 year but not over 2		Over 2 years	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
FEDERAL POWER COMMISSION												
NGA §4(e) investig., 15 USC §717c(e)	14	5	-	1	-	1	7	2	7	1		-
NGA §§4(e),5(a) new schd. susp.&rate determ., 15 USC §§717c(e),717d(a)	3	5	-	1	-	1	2	1	1	1		1
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	2	-	1	-	-	-	1	-	-	-	-	-
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	3	5	-	2	2	3	1	-	-	-	-	-
NGA §7(c) construction certificates, 15 USC §717f(c)	9	15	2	7	4	8	3	-	-	-	-	-
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c) 2/		-		-		-		-		-		-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	-	-	-	-	-	-	-	-	-	-	-	-
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	1	4	1	2	-	2	-	-	-	-	-	-
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-	-	-	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	-	2	-	-	-	1	-	1	-	-	-	-
FPA §§4(g),23(b) land occup. & navig. waters investig., 15 USC §§797g,817 2/		-		-		-		-		-		-
FPA §205 rate determs., 16 USC §824d 2/		-		-		-		-		-		-

FPA §206 investigats., 16 USC §824e 2/		-		-		-		-		-		-
FPA rule making, 16 USC §825h 2/		1		-		-		-		-		1
TOTALS	32	37	4	13	6	16	14	4	8	2		2
FEDERAL TRADE COMMISSION												
Cease & desist orders, 15 USC §§13, 21, 45(b),52,55(a),68d,69f,1194	72	59	-	4	4	9	22	16	46	23		7
HEALTH, EDUCATION, AND WELFARE DEPT.												
FOOD AND DRUG ADMINISTRATION												
Suspension of new drug applications, 21 USC §355(e)	-	-	-	-	-	-	-	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION												
Appeals from benefits rights determinations, 42 USC §405	(4202)	(8272)	DATA NOT AVAILABLE									
INTERIOR DEPARTMENT												
BUREAU OF LAND MANAGEMENT												
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	83	81	3	7	30	29	44	30	6	15		-
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	7	5	-	1	5	1	2	3	-	-	-	-
Placer mining orders, 30 USC §621(b)	-	6	-	-	-	2	-	2	-	2	-	-
Appeals from Range Managers' decisions, 43 USC §315h	28	19	1	-	2	-	8	5	17	6		8
FRC enforcement proc., 43 USC §315a	3	5	3	-	-	3	-	2	-	-	-	-
TOTALS	121	116	7	8	37	35	54	42	23	23		8
BUREAU OF INDIAN AFFAIRS												
Indian probate, 25 USC §§372,373	(2319)	(1611)	DATA NOT AVAILABLE									

TABLE 10 - TOTAL TIME FROM ASSIGNMENT TO EXAMINER TO DECISION BY EXAMINER IN PROCEEDINGS IN WHICH EXAMINERS ISSUED DECISIONS ON THE MERITS AFTER HEARING 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings											
	Total examiner decisions on merits		Decision rendered in 3 mos. or less		Over 3 months but not over 6		Over 6 months but not over 12		Over 1 year but not over 2		Over 2 years	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
INTERSTATE COMMERCE COMMISSION												
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	2276	2790	1216	1532	787	978	273	262	-	10	-	8
Finance and transfer of operating authority, 49 USC §§312,912,1010	129	168	14	6	87	133	28	24	-	5	-	-
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	290	257	95	-	46	15	144	154	5	85		3
Bankruptcy Act reorganizations, 11 USC §205	-	1	-	-	-	-	-	-	-	1	-	-
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	30	67	22	5	8	32	-	28	-	2	-	-
TOTALS	2725	3283	1347	1543	928	1158	445	468	5	103		11
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY												
Claims, 50 USC App. §§9,32,34	94	86	8	3	14	9	42	22	30	49		3
LABOR DEPARTMENT												
Walsh-Healey Act enforc., 41 USC §39	21	26	4	6	9	10	8	8	-	2	-	-
Determinations as to statutory qualification to contract, 41 USC §39 2/		3		1		1		1		-		-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	1	-	-	-	-	-	1	-	-	-	-	-
TOTALS	22	29	4	7	9	11	9	9	-	2	-	-

NATIONAL LABOR RELATIONS BOARD												
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)	6/ 148	157	98	74	28	64	9	18	1	1		-
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)	7/ 33	36	22	20	7	15	1	1	-	-	-	-
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)	8/ 41	50	32	32	4	16	1	2	-	-	-	-
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)	8/ 8	2	4	2	-	-	-	-	-	-	-	-
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)	18	-	16	-	2	-	-	-	-	-	-	-
CA - CB cases, 29 USC §160(b)	9/ 31	33	25	11	4	19	-	2	-	1	-	-
CA - CC cases, 29 USC §160(b) 2/		1		-		-		1		-		-
CA - CD cases, 29 USC §§160(b),(k) 2/		-		-		-		-		-		-
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)	5	3	5	2	-	1	-	-	-	-	-	-
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii) 2/		2		1		-		1		-		-
CB - CC cases, 29 USC §160(b)	3	3	1	3	2	-	-	-	-	-	-	-
CC - CD cases, 29 USC §160(b),(k)	10/ 1	1	1	-	-	1	-	-	-	-	-	-
TOTALS	288	288	204	145	47	116	11	25	1	2	-	-
POST OFFICE DEPARTMENT												
Fraud & lottery, 39 USC §§259,732	11/ (16)	37		8		14		9		6		-
"Unlawful" orders, 39 USC §259a	11/ (25)	36		10		20		5		-		1
Mailability, 18 USC §§1302,1461	2	3	2	3	-	-	-	-	-	-	-	-
2nd class applications, 39 USC §232	5	13	-	2	4	9	1	2	-	-	-	-
TOTALS	(48)	89		23		43		16		6		1

(Footnotes at end of table)

TABLE 10 - TOTAL TIME FROM ASSIGNMENT TO EXAMINER TO DECISION BY EXAMINER IN PROCEEDINGS IN WHICH EXAMINERS ISSUED DECISIONS ON THE MERITS AFTER HEARING 1/ (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of proceedings											
	Total examiner decisions on merits		Decision rendered in 3 mos. or less		Over 3 months but not over 6		Over 6 months but not over 12		Over 1 year but not over 2		Over 2 years	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
SECURITIES AND EXCHANGE COMMISSION												
Stop orders (SA), 15 USC §77h(d)	10	4	1	-	3	-	6	2	-	2	-	-
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	13	12	2	1	9	1	2	7	-	3	-	-
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	-	-	-	-	-	-	-	-	-	-	-	-
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	-	-	-	-	-	-	-	-	-	-	-	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	1	-	-	-	-	-	-	-	1	-		-
IAA registration, 15 USC §80b-3	-	1	-	-	-	-	-	-	-	1	-	-
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11 2/		1		1		-		-		-		-
TOTALS	24	18	3	2	12	1	8	9	1	6	-	-
SUBVERSIVE ACTIVITIES CONTROL BOARD												
Communist action, front, infiltrated organizations, 50 USC §§792,792a	3	4	-	1	-	2	1	-	2	-		1
TREASURY DEPARTMENT												
COAST GUARD												
Suspension or revocation of marine licenses, 46 USC §§239,239b	1354	1479	1225	1357	78	70	41	31	10	14		7

DIRECTOR OF PRACTICE												
Disbarment or suspension, 5 USC §261	2	-	-	-	1	-	-	-	1	-		-
IRS ALCOHOL AND TOBACCO TAX DIVISION												
Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204	34	31	23	22	9	6	2	1	-	2	-	-
GRAND TOTAL - 21 AGENCIES	5127	6395	2966	3395	1230	1778	741	849	165	318		55

1/ Table 10 corresponds to Table VI of the 1957 report. Figures for 1957 which appeared in the first two columns of Table VI under the headings, "1 mo. or less" and "1 to 3 mos.", are combined in this report under the heading, "Decision rendered in 3 mos or less." The last two columns in this table report cases in the hands of examiners from 1 to 2 years and over 2 years. Last year the agencies were asked to report in a single figure all cases in the hands of examiners more than 12 months. Therefore 1957 cases in this category are reported in the column entitled "Over 1 year but not over 2" even though some of them may have been assigned to examiners more than 2 years.

2/ Type of proceeding added to those listed last year.

3/ Substituted for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 report.

4/ Except for safety enforcement proceedings, the period of time reflected in the CAB figures is the period from opening of the hearing or, if prehearing conference was held, from such prehearing, to disposition by the examiner. With respect to safety enforcement proceedings the periods indicated are from date of assignment to an examiner. All CAB safety enforcement proceedings, hearing and non-hearing, were combined in a single set of figures in the 1957 report, and therefore are reported again in that fashion in this table under the column heading "1957."

5/ For 1957 the FMB computed over-all examiner time from the date the examiner was directed to hold a hearing rather than from date of assignment to an examiner.

(Footnotes continued on next page)

Footnotes for Table 10 Cont'd.

6/ Total figure, 148, includes 12 cases not reported in the other columns of this table. These were reopened or remanded cases as to which data relative to time involved are not available.

7/ Includes 3 reopened or remanded cases for which time data not available.

8/ Includes 4 cases for which time data not available.

9/ Includes 2 cases for which time data not available.

10/ Includes 25 cases for which time data not available.

11/ Time intervals involved in the 41 Post Office fraud and unlawful order cases decided on the merits after hearing in 1957 were not reported separately, but rather were combined with such data for 37 default cases.

TABLE 11 - TIME UNDER ADVISEMENT[1] BY EXAMINERS

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of Proceedings											
	Total examiner decisions on merits		Under advisement 1 month or less		Over 1 month but not over 3		Over 3 months but not over 6		Over 6 months but not over 12		Under advisement over 1 year	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
AGRICULTURE DEPARTMENT												
AMA marketing order contests, 7 USC §608c(15)(A)	1	9	-	3	1	2	-	4	-	-	-	-
CEA and P&S cease and desist orders, 7 USC §§13a, 193, 211	-	2	-	1	-	1	-	-	-	-	-	-
P&S license revocation or suspension and cease and desist orders, 7 USC §§204, 205, 213, 218d	4	3	-	2	2	1	2	-	-	-	-	-
P&S rate determinations, 7 USC §207[2]		-		-		-		-		-		-
PACA license denial, 7 USC §499d	3	3	3	3	-	-	-	-	-	-	-	-
CEA suspension or revocation of registration and suspension of trading privileges, 7 USC §§6g, 9[2]	-	1		1		-		-		-		-
CEA susp. of trading priv., 7 USC §9	1	-	1	-	-	-	-	-	-	-	-	-
PACA lic. susp. or rev., 7 USC §499h[3]	4	2	2	1	2	-	-	1	-	-	-	-
TOTALS	13	20	6	11	5	4	2	5	-	-	-	-
CIVIL AERONAUTICS BOARD												
Route licensing, 49 USC §481	31	18	14	6	6	2	9	7	2	3		-
Foreign permits, 49 USC §482	15	20	9	14	4	6	1	-	1	-		-
Adequacy of service, 49 USC §484	-	1	-	-	-	-	-	-	-	1	-	-
Mail rates, 49 USC §486	2	1	-	-	1	1	1	-	-	-	-	-
Carrier relations, 49 USC §§488, 489	11	8	6	3	5	3	-	1	-	1	-	-
Agreements, 49 USC §492[2]		7		6		1		-		-		-

Exemptions, 49 USC §496	-	1	-	-	-	1	-	-	-	-	-	-
Commercial rates, 49 USC §642	6	5	1	-	4	4	-	1	1	-		-
Econ. enf., 49 USC §§425,495,641,642	5	6	3	4	2	2	-	-	-	-	-	-
Medical review, 49 USC §552	28	33	18	23	5	3	4	3	1	4		-
Safety enforcement, 49 USC §559 4/		177		138		9		14		14		2
Safety enf. non-hearing, 49 USC §559 4/	112	469	90	94	5	161	14	134	3	63		17
TOTALS	210	746	141	288	32	193	29	160	8	86		19
CIVIL SERVICE COMMISSION												
Hatch Act violations, 5 USC §118k	1	1	-	-	-	1	1	-	-	-	-	-
FEDERAL COMMUNICATIONS COMMISSION												
Broadcast radio and television, 47 USC §§309,312,316,325,405,406	85	78	50	51	24	19	7	6	4	2		-
Common carrier services, 47 USC §§204,205,214,221,222	16	7	11	2	2	2	3	3	-	-	-	-
Safety & spec. services, 47 USC §359	4	5	3	3	-	1	1	1	-	-	-	-
Field eng. & mon., 47 USC §303(m)(2)	5	5	1	5	3	-	1	-	-	-	-	-
TOTALS	110	95	65	61	29	22	12	10	4	2		-
FEDERAL MARITIME BOARD												
Regulatory, 46 USC §§813, 822, 845, 861, 891, 1101	9	8	-	-	4	5	4	-	1	3		-
Subsidy, 46 USC §1101	3	5	-	1	2	1	-	2	1	1		-
Charter, 5 USC App. §1738	10	1	10	1	-	-	-	-	-	-	-	-
TOTALS	22	14	10	2	6	6	4	2	2	4		-

(Footnotes at end of table)

TABLE 11 - TIME UNDER ADVISEMENT[1] BY EXAMINERS (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of Proceedings											
	Total examiner decisions on merits		Under advisement 1 month or less		Over 1 month but not over 3		Over 3 months but not over 6		Over 6 months but not over 12		Under advisement over 1 year	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
FEDERAL POWER COMMISSION												
NGA §4(e) investig., 15 USC §717c(e)	14	5	1	2	2	1	6	2	5	-		-
NGA §§4(e),5(a) new schd. susp.&rate determ., 15 USC §§717c(e),717d(a)	3	5	-	-	1	2	1	2	1	1		-
NGA §5(a) cost and rate determinations, 15 USC §717d(a)	2	-	1	-	1	-	-	-	-	-	-	-
NGA §7(a) extension of facilities certificates, 15 USC §717f(a)	3	5	1	3	2	1	-	1	-	-	-	-
NGA §7(c) construction certificates, 15 USC §717f(c)	9	15	5	8	4	4	-	3	-	-	-	-
NGA §§7(a),(c) ext. of fac. & constr. certifs., 15 USC §§717f(a),717f(c)[2]		-		-		-		-		-		-
NGA §§3,7(c) export and import applications, 15 USC §§717b,717f(c)	-	-	-	-	-	-	-	-	-	-	-	-
NGA §§7(b),(c) constr. or aband. of serv. certif., 15 USC §§717f(b),(c)	1	4	1	1	-	-	-	2	-	-	-	1
NGA §7 certificates other than §7(c) certificates, 15 USC §717f(e)	-	-	-	-	-	-	-	-	-	-	-	-
FPA §4(e) water power construction licenses, 16 USC §797(e)	-	2	-	1	-	1	-	-	-	-	-	-
FPA §§4(g),23(b) land occup. & navig. waters investig.,15 USC §§ 797g,817[2]		-		-		-		-		-		-
FPA §205 rate determs., 16 USC §824d[2]		-		-		-		-		-		-
FPA §206 investigats., 16 USC §824e[2]		-		-		-		-		-		-
FPA rule making, 16 USC §825h[2]		1		-		-		1		-		-
TOTALS	32	37	9	15	10	9	7	11	6	1		1

FEDERAL TRADE COMMISSION												
Cease and desist orders, 15 USC §§13, 21,45(b),52,55(a),68d,69f,1194	72	59	35	32	32	17	2	8	3	1		1
HEALTH, EDUCATION, AND WELFARE DEPT.												
FOOD AND DRUG ADMINISTRATION												
Suspension of new drug applications, 21 USC §355(e)	-	-	-	-	-	-	-	-	-	-	-	-
SOCIAL SECURITY ADMINISTRATION												
Appeals from benefits rights determinations, 42 USC §405	(4202)	(8272)	(DATA NOT AVAILABLE)									
INTERIOR DEPARTMENT												
BUREAU OF LAND MANAGEMENT												
Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V)	83	81	53	23	30	37	-	14	-	7	-	-
Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V)	7	5	3	1	4	3	-	1	-	-	-	-
Placer mining orders, 30 USC §621(b)	-	6	-	2	-	4	-	-	-	-	-	-
Appeals from Range Managers' decisions, 43 USC §315h	28	19	10	10	18	1	-	7	-	1	-	-
FRC enforcement proc., 43 USC §315a	3	5	3	1	-	3	-	1	-	-	-	-
TOTALS	121	116	69	37	52	48	-	23	-	8	-	-
BUREAU OF INDIAN AFFAIRS												
Indian probate, 25 USC §§372, 373	(2319)	(1611)	(DATA NOT AVAILABLE)									

(Footnotes at end of table

TABLE 11 - TIME UNDER ADVISEMENT[1/] BY EXAMINERS (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of Proceedings											
	Total examiner decisions on merits		Under advisement 1 month or less		Over 1 month but not over 3		Over 3 months but not over 6		Over 6 months but not over 12		Under advisement over 1 year	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
INTERSTATE COMMERCE COMMISSION												
Certifs. of conven. & nec., 49 USC §§1(19),1(21),6(11),305,909,1010	2276	2790	252	279	1471	2372	508	117	45	14		8
Finance and transfer of operating authority, 49 USC §§312,912,1010	129	168		8	[5/] 36	75	93	53	-	26	-	6
Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005	290	257	73	-	96	57	75	96	46	84		20
Bankruptcy Act reorganizations, 11 USC §205	-	1	-	-	-	-	-	-	-	1	-	-
Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f)	30	67		33	[5/] 30	28	-	5	-	1	-	-
TOTALS	2725	3283	325	320	1633	2532	676	271	91	126		34
JUSTICE DEPT., OFFICE OF ALIEN PROPERTY												
Claims, 50 USC App. §§9, 32, 34	94	86	15	8	27	15	29	26	23	33		4
LABOR DEPARTMENT												
Walsh-Healey Act. enforc., 41 USC §39	21	26	13	6	7	10	1	6	-	3	-	1
Determinations as to statutory qualification to contract, 41 USC §39[2/]		3		1		2		-		-		-
Davis-Bacon Act minimum wage determinations, 40 USC §276a	1	-	-	-	1	-	-	-	-	-	-	-
TOTALS	22	29	13	7	8	12	1	6	-	3	-	1

NATIONAL LABOR RELATIONS BOARD[6]												
CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b)		157		12		85		45		15		-
CB cases (alleged §§8(b)1,2,3,5,6 unfair union pract.), 29 USC §160(b)		36		3		20		13		-		-
CC cases (alleged §§8(b)(4)(A),(B),(C) union pract.), 29 USC §160(b)		50		3		34		12		1		-
CD cases (alleged §8(b)(4)(D) unfair union pract.) 29 USC §§160(b),(k)		2		-		2		-		-		-
RC cases (pet. for cert. of representatives), 29 USC §159(c)(1)(A)(i)		-		-		-		-		-		-
CA - CB cases, 29 USC §160(b)		33		1		15		14		3		-
CA - CC cases, 29 USC §160(b)		1		-		-		1		-		-
CA - CD cases, 29 USC §§160(b),(k)		-		-		-		-		-		-
CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i)		3		1		2		-		-		-
CA - RD cases (incl. decert. petit.), 29 USC §§160(b),159(c)(1)(A)(ii)		2		-		1		1		-		-
CB - CC cases, 29 USC §160(b)		3		-		3		-		-		-
CC - CD cases, 29 USC §160(b),(k)		1		-		-		1		-		-
TOTALS	(288)[6]	288		20		162		87		19		
POST OFFICE DEPARTMENT												
Fraud & lottery, 39 USC §§259,732	16	37	8	14	2	14	2	5	4	4		-
"Unlawful" orders, 39 USC §259a	25	36	9	14	4	18	10	3	2	-		1
Mailability, 18 USC §§1302, 1461	2	3	2	3	-	-	-	-	-	-	-	-
2nd class applications, 39 USC §232	5	13	3	8	2	4	-	1	-	-	-	-
TOTALS	48	89	22	39	8	36	12	9	6	4		1

(Footnotes at end of table)

TABLE 11 - TIME UNDER ADVISEMENT[1] BY EXAMINERS (Cont'd.)

TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES	Number of Proceedings											
	Total examiner decisions on merits		Under advisement 1 month or less		Over 1 month but not over 3		Over 3 months but not over 6		Over 6 months but not over 12		Under advisement over 1 year	
	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
SECURITY AND EXCHANGE COMMISSION												
Stop orders (SA), 15 USC §77h(d)	10	4	-	1	3	2	5	1	2	-		-
Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§78o(b),78o-3	13	12	2	7	9	3	2	2	-	-	-	-
Suspension or withdrawal of registration (SEA), 15 USC §§78s(a),78x(b)	-	-	-	-	-	-	-	-	-	-	-	-
Approval of sales, acquisitions, exemptions, or reorganization plans (PUHCA), 15 USC §§79e,f,g,i,j,k,r	-	-	-	-	-	-	-	-	-	-	-	-
Exemption or other relief (ICA), 15 USC §§80a-3,6,7,8,17,39,40,41	1	-	-	-	-	-	-	-	1	-		-
IAA registration, 15 USC §80b-3	-	1	-	1	-	-	-	-	-	-	-	-
Disbarment (SA,SEA), 15 USC §§77s, 77sss,78w(a),79t,80a-37,80b-11[2]		1		1		-		-		-		-
TOTALS	24	18	2	10	12	5	7	3	3	-		-
SUBVERSIVE ACTIVITIES CONTROL BOARD												
Communist action, front, infiltrated organizations, 50 USC §§792,792a	3	4	-	-	1	1	1	2	1	-		1
TREASURY DEPARTMENT												
COAST GUARD												
Suspension or revocation of marine licenses, 46 USC §§239, 239b	1354	1479	1215	1298	72	102	53	42	14	22		15

DIRECTOR OF PRACTICE												
Disbarment or suspension, 5 USC §261	2	-	1	-	1	-	-	-	-	-	-	-
IRS ALCOHOL AND TOBACCO TAX DIVISION												
Permit proceedings, 26 USC §§5304, 5712, 5713, 27 USC §204	34	31	7/ 32	19	7/ 2	10	-	2	-	-	-	-
GRAND TOTALS - 21 AGENCIES	4887	6395	1960	2167	1930	3175	836	667	161	309		77

1/ For purposes of this table the period of time under advisement by an examiner is measured from final submission to the examiner, that is, the date the last brief and proposed findings were filed, to issuance of the examiner's decision. Corresponding data appeared in the last six columns of Table VIII of the 1957 report. Figures for 1957 which appeared in Table VIII in the columns entitled "15 days or less" and "16 to 30 days" are combined in this table under the heading, "Under advisement 1 month or less." Similarly, figures which appeared last year in the columns entitled "31 to 60 days" and "61 to 90 days" are combined in this table under the heading "Over 1 month but not over 3." The last two columns in this table report cases under advisement by examiners from 6 months to 1 year, and over 1 year. Last year the agencies were asked to report in a single figure all cases under advisement for more than 6 months. Therefore 1957 cases in this category are reported in the column entitled "Over 6 months but not over 12" even though some of them may have been under advisement for more than 12 months.

2/ Type of proceeding added to those listed in 1957 report.

3/ Substituted for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 report.

4/ All CAB safety enforcement proceedings, hearing and non-hearing, were combined in a single set of figures in the 1957 report.

5/ Cases reported as being under advisement 90 days or less. Breakout of this figure into shorter periods is not available.

6/ 1957 data on time from final submission to examiner to issuance of interim report not available.

7/ Includes estimates in some cases because exact periods are not known.

TABLE 12 - HEARING EXAMINER STAFF - DAYS PER MAN-YEAR IN HEARINGS AND PRE-HEARING CONFERENCES - AVERAGE NUMBER OF DECISIONS ON THE MERITS - NUMBER OF PROCEEDINGS ASSIGNED FOR CONDUCT OF HEARING ONLY[1]

AGENCY	Number of APA Section 11 hearing examiners employed on July 1st			Total examiner man-years available to agency during the fiscal year		Aver. number of days in hearings and conferences per man-year in all types of proceedings		Aver. number decisions on merits per man-year in types of proceedings listed in Tables 1-11		Number of proceedings assigned to hearing examiners for conduct of hearing only	
	1956	1957	1958	1957	1958	1957	1958	1957	1958	1957	1958
Agriculture	5	5	5	5	5	72.4	49.6	4.8	4	73	84
Civil Aeronautics Board	23	23	24	23	23.6	26.7	27.3	26.6	[2] 31.6	-	-
Civil Service Commission	1	1	1	.7	1	5.5	[3] 2	2.7	1	-	-
Fed. Communications Comm.	10	12	13	10.1	11.1	[4]	60	10.9	8.6	1	1
Fed. Maritime Board	5	6	6	4.9	6	29.4	25.3	4.5	2.3	-	-
Fed. Power Commission	11	11	11	10.7	10.6	107.7	[5] 72.5	3	3.5	-	[6] 462
Fed. Trade Commission	11	12	12	11.4	12	58.8	65.3	[7] 20	[7] 4.9	-	-
HEW, Food & Drug Admin.	1	1	1	.9	1	6.5	23	-	-	2	2
HEW, Soc. Security Admin.	23	55	81	34	76.7	[8]	[8]	123.6	54.8	-	-
Interior, Land Mgmt.	4	9	9	6.6	9	29.1	21.8	18.3	12.9	-	-

Interior, Indian Affairs	13	12	10	12.3	10.9	8/	8/	188.5	147.8	-	-
Interstate Commerce Comm.	105	95	91	100	93.9	25.7	34.4	39.1	35	-	-
Justice, Alien Property	6	6	5	6	5.8	20.8	12.2	15.7	14.8	-	-
Labor Department	2	2	2	2	2	37.5	31	11	14.5	4	6
Nat. Labor Relations Bd.	45	45	46	41.3	42.5	28.5	27.8	7	6.8	-	-
Post Office Department	2	2	2	9/ 2.3	3.2	35.2	22.2	10/ 37	27.8	-	-
Securities & Exchange Comm.	3	3	3	3.9	4.7	29.2	81.9	6.2	3.8	42	-
Subvers. Activ. Control Bd.	1	1	-	.8	.6	97.5	35	3.8	6.7	-	-
Treasury, Coast Guard	13	14	15	13	15	135.2	123.6	104.2	98.6	-	-
Treasury, Dir. of Practice and Alcohol & Tob. Tax	3	3	3	3	3	20	18.3	12	10	-	-
TOTALS	287	318	340	291.9	337.6					122	555

1/ Table 12 corresponds to Table IX of the 1957 report. The column showing examiner man-years available to each agency includes the time of chief examiners, and takes into account entrances upon and separations from service as well as inter-agency loans of examiners, without reduction for any time necessarily spent in training new personnel or in other duties "not inconsistent with duties and responsibilities as examiners." The column which reflects the average number of decisions issued per man-year

(Footnotes continued on next page)

Footnotes to Table 12 (Cont.)

1/ relates only to decisions on the merits in contested cases in those types of proceedings which are the subject of the foregoing tables, that is, proceedings within the limitations described in the text preceding these tables. However, the columns indicating average time in hearings and number of cases assigned only for conduct of the hearing go beyond these limitations to encompass all types of cases in which examiners preside, whether or not they are reported in the foregoing tables.

2/ If decisions in non-hearing safety enforcement proceedings are excluded from the computation, this figure is reduced to 11.7.

3/ The CSC examiner also conducts Hatch Act Sec. 9(a) cases, which are not reported in these tables.

4/ The average hours in hearings and conferences per man-year in 1957 was 116.4 hours. Number of days on which hearings and conferences were held is not available.

5/ If uncontested hearings are eliminated from this computation the average number of days figure is reduced to 52.8.

6/ Uncontested cases.

7/ 13.6 decisions per man-year in 1957 were consent decisions. Consent decisions are excluded from the figure for 1958.

8/ Data not available.

9/ 5 second-class entry hearings were conducted by a presiding officer who is not a hearing examiner. His time is not included in the man-years figure.

10/ 16.1 decisions per man-year in 1957 were default decisions. Default decisions are not included in the figure for 1958.

APPENDIX

PROVISIONS IN AGENCY RULES ON APPEALS FROM INTERMEDIATE DECISIONS

Agency	Days after decision in which to file					
	Notice of appeal	Exceptions	Replies to exceptions	Agency may enlarge time	Taking appeal stays intermediate order	Form of exceptions prescribed
PCAP Suggested Rule	10	20	10	X	X	X
Atomic Energy Commission(1)		20	10(2)	X	X	X
Civil Aeronautic Board - Safety cases(3)	10	20		X	X	X
Federal Communications Commission(4)		30		X	X	X
Federal Deposit Insurance Corporation(5)		15	10	X		X
Federal Home Loan Bank Board(6)		15	10	X		X
Federal Maritime Board(7)		15	15	X	X	X
Federal Power Commission(8)		20		X	X	X
Federal Reserve System(9)		15	10	X		X
Interstate Commerce Commission(10)		30	20	X	X	X
Justice - Alien Property(11)		30		X	X	
- Immigration and Naturalization(12)	10			X(13)	X	X
Labor - Public Contracts Division(14)		20	10		X	X
National Labor Relations Board(15)		20	(16)	X	X	X
Post Office Department - mailability(17)		15	10	X(18)	X	X
Security and Exchange Commission(19)		5	5(20)	X	X	X
Subversive Activities Control Board(21)		(22)				
Treasury - Coast Guard(23)	30				X(24)	X
- Committee on Practice(25)		30			X	X

1 10 CFR 2.751-.752
2 Proposed. 24 Fed. Reg. 2592 (April 3, 1959)
3 14 CFR 301.26,.30. Generally there is no intermediate decision in an economic proceeding. 14 CFR 302.28.
4 47 CFR 1.153
5 12 CFR 308.7 et seq.
6 24 CFR 109.9
7 46 CFR 201.228
8 18 CFR 1.30
9 12 CFR 263.7
10 49 CFR 1.96,.97,.23
11 8 CFR 502.23,.24
12 8 CFR 236.4-.5, 242.20-.21
13 The time for filing a brief in support of the appeal may be enlarged. 8 CFR 3.3
14 41 CFR 203.10-.11
15 29 CFR 102.46
16 "Upon special leave of the Board, any party may file a reply brief upon such terms as the Board may impose." 29 CFR 102.46(a)
17 39 CFR 201.28-.29
18 The time within which briefs may be filed may be extended for a maximum of ten days. 39 CFR 201.29(f)
19 17 CFR 201.9-.11
20 15 days are allowed in which to file briefs in support of exceptions. 17 CFR 201.11
21 28 CFR 201.22
22 "The parties, after the receipt of the recommended decision, shall have time, which shall be fixed, within which to file with the Board exceptions to the recommended decision and supporting reasons for such exceptions." 28 CFR 201.22(a)
23 46 CFR 137.11
24 The hearing examiner or the Commandant of the Coast Guard "may" stay the effect of the intermediate decision pending the appeal thereof. 46 CFR 137.11-15
25 31 CFR 10.7(27)-(28)

PRESIDENT'S CONFERENCE ILLUSTRATIVE RULE

APPEALS FROM INTERMEDIATE DECISIONS

(a) Notice of Appeal--Any party may appeal from an initial or recommended decision of a hearing officer or from a tentative decision of the agency by filing a notice of appeal with the agency within ten days after service upon him of such decision.

(b) Exceptions--An appeal may be perfected by filing exceptions to such intermediate decision within twenty days after service of the decision.

(c) Effect of Exceptions--The effectiveness of the intermediate decision shall be stayed if any party files a notice of appeal and exceptions within the times specified above or if the agency upon notice to the parties undertakes to review the decision. Otherwise, the intermediate decision shall become the final decision of the agency.

(d) Replies--Within ten days after service of exceptions, any opposing party may file a reply to such exceptions.

(e) Content--Exceptions shall identify specifically the findings, conclusions, or proposed action to which objection is made, and shall be supported by concise argument and by specific page references to the parts of the record and the legal and other authorities relied upon.

(f) Enlargement of Time--The time periods prescribed by this rule may be extended by the agency for good cause.

Provisions of Agency Rules on Computation of Time

		1	2	3	4	5	6	7
PCAP - Suggested Rule		X	X	X	X			
Agriculture								
AMS-Marketing Agreements	(1)			X(25)		X		
AMS-Perishable Agricultural Commodities	(2)			X(25)		X		
Commodity Exchange Authority	(3)			X(25)				
Packers and Stockyard	(4)			X(25)		X		
Atomic Energy Commission	(5)	X	X	X	X			
Civil Aeronautics Board	(6)	X	X	X	X			
Federal Coal Mine Safety Board of Review	(7)	X	X	X(26)			X	
Federal Communications Commission	(8)	X	X(28)	X	X		(27)	X
Federal Deposit Insurance Corporation	(9)	X	X	X(26)		X(31)	X	
Federal Home Loan Bank Board	(10)	X	X	X(26)	X(32)		X	
Federal Maritime Board	(11)	X	X	X(30)	X			X
Federal Power Commission	(12)	X	X	X(26)			X	
Federal Reserve Board	(13)	X	X	X(26)		X(31)	X	
Foreign Claims Settlement Commission	(14)	X	X	X	X			
Indian Claims Commission	(15)	X	X	X(26)	X			X
Interior - Bureau of Land Management	(16)	X	X	X(29)	X			
Interstate Commerce Commission	(17)	X	X	X(26)			X	X
Justice - Office of Alien Property	(18)		X	X				
National Labor Relations Board	(19)	X	X	X(24)	X		X	X
Securities and Exchange Commission	(20)	X	X	X(26)		X(31)	X	X
Subversive Activities Control Board	(21)	X	X	X	X		X	X
Treasury-Federal Alcohol Administration Act	(22)	X	X	X				
Veterans Administration	(23)	X	X	X				

1. Exclude initial day of period.

2. Include last day of period.

3. When last day of period falls on a Saturday, Sunday or holiday the period is extended to include the next business day.

4. When period is less than seven days, intermediate Saturdays, Sundays and holidays are excluded.

5. Specific provision for including intermediate Sundays and holidays.

6. Part holiday not considered a holiday.

7. Automatic extension of time based on location of parties or method of service of documents.

(1) 7 CFR § 900.15(d)
(2) 7 CFR §§ 47.25(d), 47.43(d)
(3) 17 CFR §§ 0.22(f), 0.72(f)
(4) 9 CFR § 202.22(f)
(5) 10 CFR § 2.701
(6) 14 CFR §302.16
(7) 30 CFR § 401.6
(8) 47 CFR § 1.18
(9) 12 CFR § 308.16
(10) 24 CFR § 109.2(e)
(11) 24 CFR §§ 201.101, 201.102
(12) 18 CFR § 1.13(a)
(13) 12 CFR § 263.11(c)
(14) 45 CFR § 501.7(a)
(15) 25 CFR § 503.5
(16) 43 CFR § 221.96
(17) 49 CFR § 1.21(a)
(18) 8 CFR § 502.27
(19) 29 CFR § 102.83
(20) 17 CFR § 201.13(d)
(21) 28 CFR § 201.3
(22) 26 CFR § 200.28
(23) 38 CFR § 3.29
(24) Saturdays on which the Board's offices are not open for business will be considered as holidays.
(25) Saturday is considered a business day.
(26) "Legal holiday" means legal holiday in the District of Columbia.
(27) A half holiday is considered as a holiday.
(28) Any document lodged with the Commission after 5 p.m. shall be deemed to be tendered for filing as of the next succeeding business day.
(29) "Legal holiday" means Federal legal holiday.
(30) "Legal holiday" means national legal holiday.
(31) Intermediate Saturdays also included.
(32) When period is less than ten days, intermediate Saturdays, Sundays, and holidays are excluded.

Explanatory Comment on Column 7

Seven of the twenty-three agencies which have rules relative to the computation of time have a provision for the automatic extension of the prescribed period of time when agency documents are served upon parties by mail or when parties live in designated geographical areas. The rules of three agencies[1] provide that whenever a prescribed period runs from the service of agency notice or other document upon him and service is made by mail, three days shall be added to the prescribed period.[2] The rules of a fourth agency[3] provides that the three days shall be added only when the time allowed for filing a response following the service of a document by mail is ten days or less.

Three agencies, by rule, allow additional days for filing documents when the parties reside in designated geographical areas. The Federal Maritime Board[4] allows five additional days for filing documents when the parties reside in Alaska, Washington, Arizona, California or beyond the continental United States. The Interstate Commerce Commission[5] allows five additional days to any specified period when the general office of a person party to a proceeding or office of the practitioner representing him is located at or west of El Paso, Texas, Salt Lake City, Utah, or Helena, Montana. The rules of the Securities and Exchange Commission[6] allow five additional days to any prescribed period relative to filing of documents with it when the hearing officers and parties are residents of Montana, Idaho, Wyoming, Colorado, New Mexico, Utah, Arizona, Nevada, Washington, Oregon and California. Hearing officers and parties who reside beyond the confines of the continental United States shall have an additional period of twenty days within which to file documents with the Commission.

[1] Indian Claims Commission (25 CFR § 503.5(d)), National Labor Relations Board (29 CFR § 102.83) and Subversive Activities Control Board (28 CFR § 201.3).

[2] NLRB rules provide that three days shall not be added if any extension of such time may have been granted.

[3] Federal Communications Commission (47 CFR § 1.18(d)).

[4] 46 CFR § 201.102.

[5] 49 CFR § 1.21(c).

[6] 17 CFR § 201.13.

PRESIDENT'S CONFERENCE ILLUSTRATIVE RULE

COMPUTATION OF TIME

In computing any period of time prescribed or allowed by the (agency) rules, by order of the (agency) or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a holiday. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation.

ADDITIONAL PRESIDENT'S CONFERENCE'S SUGGESTED ILLUSTRATIVE RULES

PRESUMPTIONS

Upon proof of the predicate facts specified in the subrules hereof without substantial dispute and by direct, clear, and convincing evidence, the Agency, with or without prior request or notice, may make the following presumptions, where consistent with all surrounding facts and circumstances:

(i) Continuity. That a fact of a continuous nature, proved to exist at a particular time continues to exist as of the date of the presumption, if the fact is one which usually exists for at least that period of time;

(ii) Identity. That persons and objects of the same name and description are identical;

(iii) Delivery. Except in a proceeding where the liability of the carrier for non-delivery is involved, that mail matter, communications, express or freight, properly addressed, marked, billed and delivered respectively to the post office, telegraph, cable or radio company, or authorized common carrier of property with all postage, tolls and charges properly prepaid, is or has been delivered to the addressee or consignee in the ordinary course of business.

(iv) Ordinary Course. That a fact exists or does not exist, upon proof of the existence or non-existence of another fact which in the ordinary and usual course of affairs, usually and regularly co-exists with the fact presumed;

(v) Acceptance of Benefit. That a person for whom an act is done or to whom a transfer is made has, does or will accept same where it is clearly in his own self-interest so to do;

(vi) Interference with Remedy. That evidence, with respect to a material fact which in bad faith is destroyed, eloigned, fabricated, suppressed or withheld by a party in control thereof, would if produced, corroborate the evidence of the adversary party with respect to such fact.

STIPULATIONS AND ADMISSIONS OF RECORD IN PROCEEDINGS INVOLVING NUMEROUS PARTIES

The existence or non-existence of a material fact, as made or agreed in a stipulation or in an admission of record, will be conclusively presumed against any party bound thereby, and no other evidence with respect thereto will be received upon behalf of such party, provided:

(i) Upon Whom Binding. Such a stipulation or admission is binding upon the parties by whom it is made, their privies and upon all other parties to the proceeding who do not expressly and unequivocally deny the existence or non-existence of the material fact so admitted or stipulated, upon the making thereof, if made on the record at a pre-hearing conference, oral hearing, oral argument or by a writing filed and served upon all parties within five days after a copy of such stipulation or admission has been served upon them.

(ii) Withdrawal. Any party bound by a stipulation or admission of record at any time prior to final decision may be permitted to withdraw the same in whole or in part by showing to the satisfaction of the hearing officer or the agency that such stipulation or admission was made inadvertly or under a bona fide mistake of fact contrary to the true fact and that its withdrawal at the time proposed will not unjustly prejudice the rights of other parties to the proceeding.

FORM AND CONTENT OF DECISIONS

Every decision, whether recommended, initial, tentative or final, shall contain in the following order:

(i) A correct caption of the proceeding;

(ii) Description of the nature and status of the decision;

(iii) Separately identified headnotes of the several points decided;

(iv) Designation of all parties and counsel to the proceeding;

(v) A concise statement of the nature and background of the proceeding;

(vi) A concise statement of the facts but without recitation of the evidence;

(vii) A concise definition of the issues to be decided;

(viii) In separately identified paragraphs (which will correspond to the appropriate headnotes) a concise discussion of each issue, the principles involved and the determination made thereof with reasons and precedents relied upon to support the same;

(ix) A statement of the rule, order, sanction or relief or the denial thereof to be made in accordance with the decision.

PROVISIONS OF AGENCY RULES ON DISBARMENT OF ATTORNEYS

Agency	Suspension may be summary	Grounds for disbarment: Disbarment by courts	Disbarment by other administrative agencies	"Good cause," "unfit" or in agency discretion	Violation of standards of conduct of courts	Unethical or unprofessional conduct	Lacking requisite qualifications to represent others	Lacking character, integrity	Incompetent	Violated laws and regulations of agency	Deceive, mislead, or threaten claimant or prospective claimant	Contemptuous or contumacious conduct at any hearing	Charge improper fees	Bribery of officials and employees	Other	Notice a prerequisite to disbarment*
Department of Agriculture																
Agricultural Marketing Service (1)	X					X										X
Commodity Exchange Authority (2)					X											X
Packers and Stockyards Act (3)					X											X
Department of Commerce																
Bureau of Foreign Commerce (4)										X				X	X	X
Civil Aeronautics Administration (5)				X												
Civil Aeronautics Board (6)				X												
Patent Office (7)					X											X
Department of HEW																
SSA-Appeals Council (8)											X		X		X	X
Department of the Interior (9)		X	X			X			X	X					X	X
Department of Justice																
Board of Immigration Appeals (10)		X	X									X	X	X	X	X
Immigration and Naturalization Service (10)		X	X									X	X	X	X	X
Department of Labor																
Deputy Commissioner (11)				X												
Federal Coal Mine Safety Board of Review (12)	X					X	X	X								
Federal Communications Commission (13)					X											
Federal Deposit Insurance Corp. (14)	X			X												
Federal Maritime Board (15)				X												
Federal Power Commission (16)	X					X	X								X	
Federal Reserve Board (17)	X			X												
Foreign Claims Settlement Commission (18)	X					X	X	X				X				
General Accounting Office (19)									X						X	X
Indian Claims Commission (20)	X	X														X
Interstate Commerce Commission (21)				X												
National Labor Relations Board (22)	X			(23)												X
Post Office Department (24)		X	X									X	X	X	X	
Securities and Exchange Commission (25)	X					X	X	X								
Subversive Activities Control Board (26)	X						X	X							X	
Treasury Department (27)									X		X				X	X
U. S. Tariff Commission (28)				X												
Veterans Administration (29)	X								X	X	X				X	X

* A hearing is also afforded before all agencies except the Subversive Activities Control Board.

(1) 7 CFR § 900.60(b)(2) and 7 CFR § 47.32(b)(2)
(2) 17 CFR § 0.11(c)(1)
(3) 9 CFR § 202.11(c)(1)
(4) 15 CFR § 384.2
(5) 14 CFR § 406.47
(6) 14 CFR § 302.11(a)
(7) 37 CFR § 1.344, .348
(8) 20 CFR § 403.713(f)
(9) 43 CFR § 1.7
(10) 8 CFR § 292.6, .61
(11) 20 CFR § 31.21
(12) 30 CFR § 401.8(f)
(13) 47 CFR § 1.24
(14) 12 CFR § 308.2(b)
(15) 46 CFR § 201.29
(16) 18 CFR § 1.4
(17) 12 CFR § 263.1(b)
(18) 45 CFR § 500.5
(19) 4 CFR § 1.7
(20) 25 CFR § 503.38
(21) 49 CFR § 1.13
(22) 29 CFR § 102.44
(23) "[M]isconduct [at any hearing before a trial examiner or before the Board] of an aggravated character, when engaged in by an attorney or other representative of a party, shall be grounds for suspension or disbarment..." 29 CFR § 102.44(b)
(24) 39 CFR § 202.5, 202.20 - .41
(25) 17 CFR § 201.2
(26) 28 CFR § 201.5(c)
(27) 31 CFR § 10.50
(28) 19 CFR § 201.12(c)
(29) 38 CFR § 14.635

PROPOSED AGENCY RULES ON ADMISSION AND DISCIPLINE OF ATTORNEYS*

I. Admission.

(a) Practice by Attorneys. Any person who is a member in good standing of the bar of the Supreme Court of the United States or of the highest court of any state, territory, or of the District of Columbia, and is not under any order of any court suspending, enjoining, restraining, disbarring, or otherwise restricting him in the practice of law, may represent others before the agency.

(b) Signature to Constitute Certificate. When a person acting in a representative capacity appears in person or signs a paper in practice before this agency, his personal appearance or signature shall constitute a representation to the agency that under the provisions of these regulations and the law he is authorized and qualified to represent the particular party in whose behalf he acts. Further proof of a person's authority to act in a representative capacity may be required.

(c) Service by or upon Attorneys. When any participant in any matter before [name of agency] is represented by an attorney-at-law and that fact has been made known in writing to the agency, any notice or other written communication required or permitted to be given to or by such participant shall be given to or by such attorney. Where any other method of service is specifically provided by statute, service shall also be made as so provided. If a participant is represented by more than one attorney, service by or upon any one of such attorneys shall be sufficient.

*It is recognized that non-lawyers are admitted to practice before a number of agencies and that there should be admission and disciplinary procedures applicable to them. This suggested uniform rule, does not attempt to deal with that problem. However, it is believed that it can be adapted to meet the special requirements of each agency.

II. Disqualification and Suspension.

(a) The Agency may disqualify, temporarily or permanently, from practice before it any attorney who it finds, after notice and opportunity for hearing, does not meet the requirements for admission to practice set forth in Sec. I above, has been disqualified, suspended, or disbarred by any other agency of the Federal Government, is guilty of unethical or unprofessional conduct, or is not qualified to represent others before the Agency. A person disqualified to practice before the Agency will not be recognized in a representative capacity during the period of disqualification in any matter before the Agency.

(b) Contemptuous conduct by an attorney at any hearing before the Agency shall be ground for summary suspension and exclusion from further participation in the proceeding without notice or opportunity for hearing.

III. Procedures for Discipline of Attorneys.

(a) Whenever an officer or employee of the agency has reason to believe that an attorney representing others before the agency has violated any provision of these rules, he shall promptly make a written report thereof to the General Counsel.* The General Counsel shall also receive complaints from attorneys, parties or members of the public. The General Counsel either on the basis of such information or upon his own motion where he has cause to believe that an attorney has violated any provision of these rules shall promptly authorize an investigation of such charges or complaints. After investigation, the General Counsel may decline to take further action on any complaint or he may initiate formal disciplinary proceedings.

(b) If the General Counsel determines that formal disciplinary proceedings should be instituted, he shall file with the agency a complaint in which he shall set

*As herein used, the term "General Counsel" applies to the Chief Legal Officer of the agency concerned.

forth with clarity and specificity the nature of the misconduct complained of. The General Counsel shall cause a copy of the complaint to be personally served on the respondent or have a copy dispatched by registered mail to his last known address.

(c) The respondent shall have ten days after receipt of such complaint to file with the agency an answer thereto. The answer shall include a specific admission or denial of each of the allegations of the complaint. The respondent may not challenge the complaint by demurrer or motion but he may incorporate in his answer the objection that the agency does not have jurisdiction or the objection that the acts or omissions alleged in the complaint do not constitute misconduct which would warrant the imposition of discipline, and, if he desires, the respondent may request a hearing before the agency and such hearing shall be held within sixty days after the receipt of the request therefor.

(d) Respondent shall be deemed to be in default if he shall fail to file an answer or to appear at the hearing, notice of the time and place of which having been given to him in writing by the agency not less than 10 days prior thereto.

(e) The General Counsel shall prosecute the charges stated in the complaint at the hearing held thereon.

(f) The hearing shall be held before the agency or one or more members of the body which comprises the agency as the agency shall determine. The hearing shall not be open to the public unless requested by the respondent. The respondent may be represented by counsel at the hearing, may offer testimony of witnesses and other evidence in his behalf, cross-examine witnesses, and shall enjoy such other procedure as are provided for by agency rule for other hearings before the agency.

A record of evidence introduced at the hearing shall be kept and the respondent shall have the opportunity to inspect it.

(g) To warrant a finding of misconduct in contested cases, the charges must be established by a preponderance of the evidence, and, in cases where the respondent defaults, by prima facie evidence.

(h) The agency after full consideration of the record in the case may, by appropriate order, (1) disqualify, temporarily or permanently, the respondent from practice before it or (2) dismiss the charges against him. As soon as practicable after the conclusion of the hearing, the agency shall enter its order stating its findings of fact, conclusions, and disposition of the charges. A copy of the order of the agency shall be furnished the respondent.

(i) If the agency orders the respondent to be disqualified, temporarily or permanently,--

(1) a copy of such order shall be published in the Federal Register;

(2) a copy of such order shall be sent to the appropriate authorities in the State, territory, or the District of Columbia from which the respondent derived his license to practice law. A transcript of the record shall be made available upon payment of cost to such authorities upon their request. The agency shall also notify such authorities of the termination of such disqualification.

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